

States Forest Service; to the Committee on Agriculture.

By Mr. AUCHINCLOSS:

H. R. 5384. A bill making an appropriation for the relief of areas in the State of New Jersey damaged by the recent hurricane; to the Committee on Appropriations.

By Mr. McMILLAN of South Carolina:

H. R. 5385. A bill to provide for the acquisition of certain property in the District of Columbia for use by the Children's Museum of Washington, Inc.; to the Committee on District of Columbia.

By Mr. McCORMACK:

H. R. 5386. A bill to amend the Selective Training and Service Act of 1940, as amended, to extend the time within which application may be made for reemployment, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. BLAND:

H. R. 5387. A bill to amend sections 101 (a) and 212 (b) (2) of the Merchant Marine Act of 1936, as amended; to the Committee on the Merchant Marine and Fisheries.

By Mr. BRADLEY of Pennsylvania:

H. R. 5388. A bill relating to the traveling expenses of members of the armed forces transferred from one hospital to another at their own request; to the Committee on Military Affairs.

By Mr. RANKIN:

H. Con. Res. 100. Concurrent resolution authorizing that the pamphlet containing information as to the rights and benefits that are available to veterans of the armed forces and their dependents be published as a document and providing for the printing of additional copies thereof; to the Committee on Printing.

By Mr. MANSFIELD of Texas:

H. Res. 641. Resolution authorizing the printing of additional copies of a report from the Chief of Engineers, United States Army, together with accompanying papers and illustrations, on the re-examination of Columbia and Snake Rivers, Oreg., Wash., and Idaho; to the Committee on Printing.

By Mr. LEA:

H. Res. 642. A bill authorizing the Committee on Interstate and Foreign Commerce of the House of Representatives to have printed for its use additional copies of the hearings on the bill (H. R. 4184), to amend the Transportation Act of 1940, with respect to the movement of Government traffic; to the Committee on Printing.

By Mr. HARNES of Indiana:

H. Res. 643. Resolution to investigate the Pearl Harbor disaster; to the Committee on Rules.

By Mr. SCOTT:

H. Res. 644. Resolution to investigate the Pearl Harbor disaster; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COFFEE:

H. R. 5389. A bill for the relief of George S. Hawley; to the Committee on Military Affairs.

By Mr. ELLISON of Maryland:

H. R. 5390. A bill for the relief of James P. Arthur; to the Committee on Claims.

By Mr. GREEN:

H. R. 5391. A bill for the relief of Mrs. Clifford W. Prevatt; to the Committee on Claims.

H. R. 5392. A bill for the relief of Ruth Grossman; to the Committee on Claims.

By Mr. HERTER:

H. R. 5393. A bill for the relief of Annie M. Lannon; to the Committee on Claims.

By Mr. KEARNEY:

H. R. 5394. A bill for the relief of Margaret Gudzin; to the Committee on Claims.

By Mr. MILLER of Missouri:

H. R. 5395. A bill to extend Letters Patent No. 1,645,643; to the Committee on Patents.

By Mr. MONKIEWICZ:

H. R. 5396. A bill for the relief of William H. Shultz; to the Committee on Claims.

By Mr. SHERIDAN:

H. R. 5397. A bill for the relief of Mrs. Agnes M. Burke; to the Committee on Claims.

By Mr. TOWE:

H. R. 5398. A bill for the relief of the Hatheway Patterson Corporation; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6135. By Mr. KEARNEY: Petition containing the signatures of 172 citizens of the Thirtieth Congressional District, State of New York, protesting against the enactment by the Congress of prohibition legislation; to the Committee on the Judiciary.

6136. By Mr. ROLPH: Resolution of the County Supervisors Association of California, dated August 25, 1944, and asking investigation by Congress of war industries to reconvert for post-war to avoid unemployment; to the Committee on Rules.

6137. Also, resolution of the Downtown Association of San Francisco urging Defense Plant Corporation to make certain that steel mill at Geneva, Utah, be maintained in operation; to the Committee on Banking and Currency.

6138. By the SPEAKER: Petition of William B. Spaun, chairman of the Citizens' Committee of Hannibal, Mo., petitioning consideration of their resolution with reference to a request that the Government keep the German prisoners of war out of the city of Hannibal, Mo., and from laboring therein, and to restore their ball park to its original condition and use; to the Committee on Military Affairs.

6139. Also, petition of the secretary, Board of Liquidation, City Debt, New Orleans, La., petitioning consideration of their resolution with reference to endorsement of the Boren bill, H. R. 1502; to the Committee on Interstate and Foreign Commerce.

6140. Also, petition of William Pabodie, Charlotte, N. C., petitioning consideration of his resolution with reference to the impeachment of E. Y. Webb, judge of the United States District Court for the Western District of North Carolina, that citizens may no longer be denied their constitutional rights by the de facto and improperly constituted court in that district; to the Committee on the Judiciary.

## SENATE

TUESDAY, SEPTEMBER 19, 1944

(Legislative day of Friday, September 1, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Father, from the anguished earth where innocent blood cries from the ground, through the voice of woe Thy voice to us is calling. We cannot be true to ourselves and to our heritage if in a crucified world we refuse the cross. In the agony of humanity, we could not hold ourselves safe and apart.

Thou knowest we have no choice save to break the bread of sacrifice and spill the sweet wine of youth in that eternal sacrament forever crimsoned with the cleansing love that seeketh not its own and gives itself a ransom for many.

Grant to us a sustaining vision of life, personal life and national life, as it was made and meant to be, gladly losing itself in high and holy causes, in singing toil, in waste places transformed, in shackles broken, in hunger fed and in thirst quenched, in braver and better things. Lead us for Thy name's sake, even in the valley of the shadow of pain and loss, if the cross but lift us and our willful and wistful humanity nearer, our God, to Thee, nearer to Thee. We ask it in the dear Redeemer's name. Amen.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, September 15, 1944, was dispensed with, and the Journal was approved.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5125) to provide for the disposal of surplus Government property and plants, and for other purposes.

The message also announced that the House had passed a bill (H. R. 5386) to amend the Selective Training and Service Act of 1940, as amended, to extend the time within which application may be made for reemployment, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 51) authorizing a change in enrolling the bill (H. R. 4257) to expatriate or exclude certain persons for evading military and naval service.

#### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1250. A bill to repeal section 2 of the act approved May 17, 1926, which provides for the forfeiture of pay of persons in the military and naval service of the United States who are absent from duty on account of the direct effects of venereal disease due to misconduct, and to amend Veterans Regulation No. 10, as amended, to define line of duty and misconduct for pension and compensation purposes;

S. 2111. A bill to provide for the extension of certain oil and gas leases; and

S. J. Res. 150. Joint resolution making an appropriation to pay the necessary expenses

of the inaugural ceremonies of the President of the United States January 20, 1945.

**NORTH DAKOTA SENATORIAL PRIMARY—NOTICE OF SPEECH**

Mr. LANGER. Mr. President, some data which I sent for in North Dakota so that I might have proof of statements I might make in reply to the charges of my colleague [Mr. NYE] has failed to arrive and will not arrive until this afternoon. Therefore, I give notice that I will reply to the charges made by my colleague at the next meeting of the Senate.

**EXECUTIVE COMMUNICATIONS, ETC.**

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

**SURPLUS GOVERNMENT PROPERTY AND MATERIALS—SECOND QUARTERLY REPORT (S. Doc. No. 239)**

A communication from the President of the United States, submitting, in response to Senate Resolution 195, requesting an investigation concerning Government property and materials no longer needed for war purposes, agreed to March 14, 1944, a second quarterly report concerning surplus Government property and materials; to the Committee on Military Affairs and ordered to be printed.

**PERSONNEL OF THE LAND FORCES**

A confidential letter from the Secretary of War, reporting, pursuant to law, relative to the personnel of the land forces on July 31, 1944, under section 3 (b) of the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

**SUSPENSION OF DEPORTATION OF CERTAIN ALIENS**

A letter from the Attorney General, submitting, pursuant to law, a report stating all of the facts and pertinent provisions of law in the cases of 302 individuals whose deportation has been suspended for more than 6 months under authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

**PERSONNEL REQUIREMENTS**

Letters from the Acting Secretary of the Treasury, the Secretary of Labor, Administrator of the War Shipping Administration, Acting Director of the Office of Strategic Services, Chairman of the Interstate Commerce Commission, Administrative Assistant to the Secretary of Commerce, and Director of War Information, transmitting, pursuant to law, estimates of personnel requirements for their respective departments and offices for the quarter ending December 31, 1944 (with accompanying papers); to the Committee on Civil Service.

**DISPOSITION OF EXECUTIVE PAPERS**

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of War (7), Navy (2), Interior (2), and Agriculture (2); United States District Court for the Eastern District of Wisconsin, Federal Security Agency, General Accounting Office, Selective Service System, and the Federal Works Agency which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

**PETITIONS AND MEMORIALS**

Petitions, etc., were laid before the Senate by the Vice President, and referred as indicated:

A resolution by the Board of Liquidation, City Debt, New Orleans, La., favoring the enactment of the so-called Boren bill, being House bill 1502, proposing to amend the Security and Exchange Act of 1934 by providing that the issuance and sale of municipal bonds be not under the jurisdiction of the Securities and Exchange Commission; to the Committee on Banking and Currency.

A resolution by the City Council of Minneapolis, Minn., requesting inclusion in any proposed coal-control act of a provision preserving benefits of water transportation to communities located on or adjacent to tide-waters, lakes, or rivers; to the Committee on Interstate Commerce.

A resolution adopted by a meeting of citizens of Hannibal, Mo., favoring the adoption of measures to keep German prisoners of war out of the city of Hannibal, Mo., or from laboring therein, and to restore the city ball park to its original condition and use; to the Committee on Military Affairs.

A petition of sundry citizens of New York City and vicinity, praying for the enactment of the so-called Mead bill, being Senate bill 1882, to increase the compensation of letter carriers; to the Committee on Post Offices and Post Roads.

**PROHIBITION OF LIQUOR SALES AROUND MILITARY CAMPS—MEMORIALS**

Mr. AIKEN. Mr. President, I ask consent to present for appropriate reference memorials signed by 3,090 citizens of Vermont, remonstrating against the enactment of Senate bill 860, relating to the sale of alcoholic liquors to members of the land and naval forces of the United States, or any similar prohibition legislation.

The VICE PRESIDENT. Without objection, the memorials will be received and referred to the Committee on Military Affairs.

**PETITION FOR PEACE FROM THE UNITARIAN SOCIETY, LAWRENCE, KANS.**

Mr. REED. Mr. President, I ask unanimous consent to present for appropriate reference a petition for peace, sent to me by Homer A. Jack, Ph. D., minister, the Unitarian Society of Lawrence, Kans., just before the Senate recessed in July. It is signed by 23 citizens of Abilene and Newton, Kans., and reads as follows:

Since the declared purpose of the United Nations in the war is the achievement of political, cultural, and spiritual freedom throughout the world, and economic justice and a higher standard of living for all peoples.

We urge our Government to formulate specific proposals for such a peace and to make them known to the governments and peoples of all lands, with a view to ending this war honorably at the earliest possible moment.

The VICE PRESIDENT. Without objection, the petition will be received and referred to the Committee on Foreign Relations.

**RESOLUTIONS OF WATER CONSERVATION CONFERENCE, MODIFICATIONS OF AMENDMENTS TO FIVERS AND HARBORS AND FLOOD CONTROL BILLS, AND LETTER FROM THE PRESIDENT**

Mr. O'MAHONEY. Mr. President, on the 7th and 8th of September there was

held in the city of Chicago a conference on the conservation of water. Delegates came to that conference from all parts of the United States, and there studied some of the amendments which have been suggested to the pending river and harbor bill and to the pending flood-control bill. Engineers and lawyers representing some 29 States, as I recall, were there.

The result of the conference was to make certain suggestions with respect to the modification of some of the pending amendments. Resolutions were adopted, all of which, I think, are of such great importance that they should be available to all Members of the Senate and to be called particularly to the attention of the Committee on Commerce.

There is also a statement by President Roosevelt with respect to the importance of reclamation and irrigation in connection with the development of the water resources of the various river basins.

At my request Mr. F. O. Hagie, secretary-treasurer of the Water Conservation Conference, has submitted to me the resolutions and the modifications of the various amendments. I ask unanimous consent that his letter transmitting these matters to me, together with the letter from President Roosevelt, may be printed at length in the RECORD, and then referred to the Committee on Commerce for its consideration.

There being no objection, the letters and accompanying papers were ordered to be referred to the Committee on Commerce, and to be printed in the RECORD, as follows:

THE WHITE HOUSE,  
Washington, August 7, 1944.

HON. JOHN H. OVERTON,  
United States Senate.

MY DEAR JOHN: I am glad to learn from your letter of June 23 that the Senate Commerce Committee adopted a progressive provision for the marketing of power from navigation and flood control projects in the bills that have been reported to the Senate.

The dam and reservoir projects in the Central Valley of California, which would be authorized by H. R. 4485 for construction by the Army engineers, should, for purposes of sound administration and coordinated operation, be constructed by the Bureau of Reclamation in the Department of the Interior. These projects constitute logical extensions of the existing Central Valley project of the Bureau of Reclamation. California, in common with the other Western States, has a flood-control problem and a need for water. The basic and best solution of her flood control problem lies in the maximum storage and use of water for irrigation. Every flood control project and every navigation project in the West should therefore be made, so far as practicable, to play its part in the great scheme of conservation of water for beneficial consumptive use.

It may well be that testimony before your Committee in favor of the construction of these projects by the Corps of Engineers was a reflection of the desire of certain large land interests in California to obtain irrigation and other benefits without being subjected to the repayment requirements and to the other public safeguards that are a part of the reclamation law, but I do not believe that this should be allowed to obscure the fundamental objectives of that law. In this connection, I was pleased by the inclusion of the irrigation amendment. But this amend-

ment will not assure that the planning, design, construction and operation of these reservoirs shall be such as to fulfill the primary need for conservation and beneficial consumptive use of water. I hope, therefore, that the Congress will see fit to place in the Bureau of Reclamation the authority and the responsibility for accomplishment of the great objectives that the Federal Government should achieve in California.

I am convinced of the soundness of the amendment designed to assure that the respective States have opportunity to have their views formally recorded in reports on proposed projects of interest to them. While I appreciate your concern over the provision of that amendment that would allow the States to hold up construction of projects already approved by the Congress, this appears to be the case only with respect to projects in the present bill and is necessary to permit transition to the procedure that would be effective for future projects. This amendment seems to me to be no less constitutional than other limitations written by the Congress from time to time on the extent and manner of the execution of powers vested in the Federal Government by the commerce clause of the Constitution.

With respect to the Missouri River, specifically, I am hopeful that a method can be found for the settlement of differences between the proponents of irrigation and of navigation so that the needed over-all development of the basin can proceed expeditiously.

I appreciate your having given my views consideration and having made them available to your committee. You have undertaken an important job and one that is particularly close to my heart. I am grateful and I am sure the Nation as a whole will be grateful for the great effort you are putting into this task.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

WATER-CONSERVATION CONFERENCE,  
Washington, D. C., September 14, 1944.  
Hon. JOSEPH C. O'MAHONEY,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR: Last week 123 representatives from 29 States convened in Chicago for a water-conservation conference called by 4 widely scattered groups to perfect amendments to the river-harbor and flood-control bills now pending before the Senate.

We have the honor of conveying to you in compliance with resolutions passed at that conference the following:

1. Copies of two resolutions unanimously approved by the conference.
2. A proposed revision of the O'Mahoney-Millikin amendments, together with other amendments to H. R. 3961 and H. R. 4485, all of which were approved by the conference.
3. A list of the delegates by States who registered for the conference and who participated in the deliberations, together with the name of the organization or agency for which they were authorized to speak.
4. A list of the committees and the temporary officers chosen by the conference.

All participants in the conference were most grateful to you and Senator MILLIKIN for your interest and participation and for your counsel and advice to the committees and to the conference as a whole.

Any help which you can give in bringing the above material and information to the attention of interested parties throughout the Nation will be greatly appreciated by every member of the conference and especially by the undersigned.

Sincerely yours,

ALBAN J. PARKER, Chairman.

F. O. HAGLE, Secretary-Treasurer.

# RESOLUTIONS APPROVED BY THE WATER CONSERVATION CONFERENCE

## RESOLUTION 1

Whereas the omnibus rivers and harbors bill (H. R. 3961) and the omnibus flood-control bill (H. R. 4485), as passed by the House of Representatives and as now pending before the United States Senate, providing for public works to serve the interests of the Nation and of the States and their local regions, contain, in their present form, various provisions inimical to the sovereign rights and interests of the States and the people thereof; and

Whereas we, representatives from 29 States of the United States, are now in session in Chicago on September 7 and 8, 1944, at the call of the Interstate Commission on the Delaware River Basin, the Texas delegation in attendance at the New Orleans meeting of the National Rivers and Harbors Congress, the Committee on Preservation of Integrity of State Water Laws of the National Reclamation Association, and the Northeastern States Conservation Conference for the following purposes:

1. To assure local and State participation in plans for water-resources development;
2. To preserve the integrity of State water laws;
3. To perfect amendments to the omnibus rivers and harbors bill (H. R. 3961) and the omnibus flood-control bill (H. R. 4485) now pending before the United States Senate; and
4. To insure adoption of such amendments by the Congress; and

Whereas such perfecting amendments to be offered in substitution for and in addition to the so-called O'Mahoney and Millikin amendments to said bills have been prepared with the advice of Senators O'MAHONEY and MILLIKIN and approved by this conference; and

Whereas said amendments, if adopted by the Congress, will protect the rights and interests of the several States and provide for the full use of the facilities of the States and the Federal agencies concerned with the development and control of the water resources of the country in that they recognize and would preserve the correct distinction between the functions of the States and the United States and require full cooperation on the part of the Federal agencies involved and between them and the various States: Now, therefore, be it

*Resolved*, That this conference calls to the attention of all interested in the control and development of the Nation's water resources the action of this conference, and urges them to take all steps necessary to secure the adoption at the present session of Congress of said amendments and the two bills as so amended; and be it further

*Resolved*, That the Secretary of this conference is instructed to give general circulation to said proposed amendments to the bills H. R. 3961 and H. R. 4485, and to this resolution and to mail copies to all persons and organizations here represented.

## RESOLUTION 2

Be it

*Resolved*, That this conference, having been honored by the presence of Senators JOSEPH C. O'MAHONEY, of Wyoming, Senator EUGENE D. MILLIKIN, of Colorado, Senator HUGH BUTLER, of Nebraska, and Congressman FRANCIS CASE, of South Dakota, and aided by their counsel in its deliberations, expresses to them its gratitude for their attendance and advice; and be it further

*Resolved*, That the thanks of the conference are extended to Senators O'MAHONEY and MILLIKIN for their untiring efforts on behalf of the amendments perfecting H. R. 3961 and H. R. 4485 supported by this conference; and

The secretary of this conference is directed to present copies of this resolution to Senator O'MAHONEY, Senator MILLIKIN, Senator BUTLER, and Representative CASE.

# O'MAHONEY-MILLIKIN AND OTHER AMENDMENTS TO THE RIVER-HARBOR AND FLOOD-CONTROL BILLS NOW PENDING BEFORE THE SENATE OF THE UNITED STATES AS APPROVED BY THE WATER CONSERVATION CONFERENCE

(Attended by water representatives of 29 States and interested Senators and Congressmen)

1. At the proper place in the bill insert the following:

"In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control; to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive, basin-wide development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

"In conformity with this policy:

"(a) Plans, proposals, or reports of the Chief of Engineers, War Department, for any works of improvement for navigation or flood control not heretofore or herein authorized, shall be submitted to the Congress only upon compliance with the provisions of this paragraph (a). Investigations which form the basis of any such plans, proposals, or reports shall be conducted in such a manner as to give to the affected State or States, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and, to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. If such investigations in whole or part are concerned with the use or control of waters arising west of the ninety-seventh meridian, the Chief of Engineers shall give to the Secretary of the Interior, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. The relations of the Chief of Engineers with any State under this paragraph (a) shall be with the Governor of the State or such official or agency of the State as the Governor may designate. The term 'affected State or States' shall include those in which the works or any part thereof are proposed to be located; those which in whole or part are both within the drainage basin involved and situated in a State lying wholly or in part west of the ninety-eighth meridian; and such of those which are east of the ninety-eighth meridian as, in the judgment of the Chief of Engineers, will be substantially affected. Such plans, proposals, or reports and related investigations shall be made to the end, among other things, of facilitating the coordination of plans for the construction and operation of the proposed works with other plans involving the waters which would be used or controlled by such proposed works. Each report submitting any such plans or proposals to the Congress shall set out therein, among other things, the relationship between the plans for construction

and operation of the proposed works and the plans, if any, of the affected States and of the Secretary of the Interior. The Chief of Engineers shall transmit a copy of his proposed report to each affected State, and, in case the plans or proposals covered by the report are concerned with the use or control of waters which rise in whole or in part west of the ninety-seventh meridian, to the Secretary of the Interior. Within 90 days from the date of receipt of said proposed report, the written views and recommendations of each affected State and of the Secretary of the Interior may be submitted to the Chief of Engineers. The Secretary of War shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the proposed report together with the submitted views and recommendations of affected States and of the Secretary of the Interior. The Secretary of War may prepare and make said transmittal any time following said 90-day period. The letter of transmittal and its attachments shall be printed as a House or Senate document.

"(b) The authorizations for projects described as follows in this act shall be subject to the provisions of this paragraph (b):

"Rowlesburg Reservoir on the Cheat River.

"Youghiogheny River Basin.

"Raystown Reservoir on the Juniata River.

"Connecticut River Basin.

"If a written objection to the authorization of any of the above described projects is filed with the Secretary of War within 90 days after the date of such authorization by the Governor of any affected State (as defined in paragraph (a) of this section), then the Chief of Engineers (1) shall give opportunity to be heard to representatives accredited by the Governor of each affected State; (2) shall undertake such investigations or reinvestigations as he deems appropriate in the circumstances; and (3) shall prepare a review report and recommendations in the light of said objections and hearings and shall transmit a copy thereof to each affected State. The review report shall be of such scope as the Chief of Engineers deems appropriate in the circumstances. Thereupon, within 90 days from the date of receipt of said review report, the written views and recommendations of each such State may be submitted to the Chief of Engineers. The Secretary of War shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the review report together with the submitted views and recommendations of such States. The Secretary of War may prepare and make said transmittal any time following said 90-day period. The letter of transmittal and its attachments shall be printed as a House or Senate document. The authorization in question, with such modifications of the plans for works as may have been recommended in the review report of the Chief of Engineers, shall be effective on the date when said document is printed, if the Secretary of War concurs in said review report and if there is no objection thereto set forth in a submission of views and recommendations made by a State in accordance with the above procedure. The authorization, if objections thereto are set forth in such a submission, shall not be effective unless and until otherwise provided by subsequent act of Congress.

"Any authorization hereafter made based on a plan, proposal, or report which has been made to the Congress prior to the date of this act but which has not been heretofore or herein authorized, shall likewise be subject to the provisions of this paragraph (b).

"(c) The use for navigation, in connection with the operation and maintenance of such works herein or hereafter authorized for construction, of waters arising in States lying wholly or partly west of the ninety-eighth meridian shall be only such use as does not

conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the ninety-eighth meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

"(d) The Secretary of the Interior, in making investigations of and reports on works for irrigation and purposes incidental thereto shall, in relation to an affected State or States (as defined in paragraph (a) of this section), and to the Secretary of War, be subject to the same provisions regarding investigations, plans, proposals, and reports as prescribed in paragraph (a) of this section for the Chief of Engineers and the Secretary of War. In the event a submission of views and recommendations, made by an affected State or by the Secretary of War pursuant to said provisions, sets forth objections to the plans or proposals covered by the report of the Secretary of the Interior, on grounds not inconsistent with paragraph (c) of this section, the proposed works shall not be deemed authorized except upon approval by an act of Congress; and subsection 9 (a) of the Reclamation Project Act of 1939 (53 Stat. 1187) and subsection 3 (a) of the act of August 11, 1939 (53 Stat. 1418), as amended, are hereby amended accordingly."

Section 4 of bill as passed by House:

"Sec. 6. That the Secretary of War is authorized to contract for water storage for any beneficial uses or purposes with States, legal subdivisions thereof, State and interstate agencies, municipalities, public, quasi public, or private corporations, firms, associations, or individuals on such terms and conditions as he may deem reasonable, when storage capacity for any such uses or purposes is or may be made available at any reservoir now or hereafter constructed by the War Department: *Provided*, That the right to the use of water for such purposes shall have been established by proceedings in conformity with State laws: *And provided further*, That no such water storage shall be in conflict with, or adversely affect, then existing lawful uses of water. All moneys received from such contracts shall be deposited in the Treasury of the United States as miscellaneous receipts."

Section 6 of bill as passed by House:

"Sec. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior, that in connection with any dam and reservoir project constructed or to be constructed by the Secretary of War additional works for the diversion and distribution of water may be utilized for irrigation, the Secretary of the Interior is authorized to make a report and findings on the construction of such additional works for the diversion and distribution of water as he may deem necessary for such purposes. Such report and findings shall be made in accordance with and subject to the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplemental thereto). Within the limits of the water users' repayment ability, such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation. After authorization as provided by law, the Secretary of the Interior shall construct, operate, and maintain such additional works in accordance with said Federal reclamation laws and shall be authorized to deliver to such lands such portion of the water made available by said dam and reservoir project as may be set forth in said report and findings of the Secretary of the Interior or as may be otherwise provided by law. The provisions of this section shall not prejudice lawful uses then existing nor water rights or priorities established under applicable State laws, and shall not apply to any dam or reservoir heretofore or hereafter constructed which supplements any existing locally operated irrigation system or other lo-

cally operated water facilities, nor shall this section nor the provisions of section 6 hereof apply to any dam or reservoir heretofore constructed in whole or in part by the Army engineers, which provides conservation storage of water for irrigation purposes."

Section 15. Delete the entire section.

(This section relates to the authority and supervision of the Chief of Engineers over dams on navigable rivers and tributaries thereof.)

Section 9. Missouri River Basin.

Delete line 5, page 20, to line 2, page 22, inclusive, and insert in lieu thereof the following:

"Subject to such revision and coordination as the Secretary of War and the Secretary of the Interior may agree upon in a joint report to the Congress hereby directed to be made on or before — 1945 (and to be printed as a House or Senate document), the general comprehensive plans set forth in House Document 475 and Senate Document 191, Seventy-eighth Congress, second session, are hereby approved and the initial stages recommended therein are hereby authorized, provided, said joint report shall include, among other things, (a) the allocations to various purposes of the estimated costs of the works comprising the plan, said allocations to be made on a basin-wide basis in general conformity with the provisions and principles of section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187) as modified with respect to flood control and navigation by the practices of the Secretary of War; (b) provision for regulations by the Secretary of War to govern operation of the flood control or navigation capacity of any reservoir which, although agreed to be operated by the Bureau of Reclamation, includes some capacity dedicated and allocated for purposes of navigation or flood control; and (c) provision that water stored in Fort Peck Reservoir shall be made available for irrigation and other beneficial uses as additional multiple-purpose reservoirs are constructed and placed in operation; said multiple uses to include irrigation and other beneficial consumptive uses, power, and navigation."

The foregoing amendments apply to H. R. 4485, as reported by the Senate Commerce Committee on June 22, 1944, Report No. 1030, Calendar No. 1047.

#### RIVERS AND HARBORS BILL (H. R. 3961)

Amendments in accordance with the foregoing are to be made to H. R. 3961, as reported by the Senate Commerce Committee on May 25, 1944, Report No. 903, Calendar No. 915, in all instances where appropriate. In addition thereto, the following amendments are recommended to H. R. 3961:

1. Delete that portion of section 1, page 28, line 10, to page 28, line 23, inclusive, and insert the following in lieu thereof:

"Snake River, Oreg., Wash., and Idaho: The construction of such dams as are necessary and open channel improvement for purposes of providing slack-water navigation and irrigation in accordance with the plan submitted in House Document No. 704, Seventy-fifth Congress, with such modifications, as do not change the requirement to provide slack-water navigation, as the Secretary of War may find advisable after consultation with the Secretary of the Interior and such other agencies as may be concerned: *Provided*, That surplus electric energy generated at the dams authorized in this item shall be delivered to the Secretary of the Interior for disposition in accordance with existing laws relating to the disposition of power at Bonneville Dam: *Provided further*, That nothing in this paragraph shall be construed as conferring the power of condemnation of transmission lines."

2. Restore to the bill that portion thereof appearing from line 24, page 35, to line 3, page 36, inclusive, in strike-out type, the same constituting section 4 of H. R. 3961 as the

same was passed by the House of Representatives, reading as follows:

"Sec. 4. The excess land provisions of the Federal reclamation laws shall not be applicable to lands which will receive a water supply from the Central Valley project, California, reauthorized by section 2 of the River and Harbor Act, approved August 26, 1937."

LIST OF DELEGATES REGISTERED AT WATER CONSERVATION CONFERENCE AT STEVENS HOTEL, CHICAGO, SEPTEMBER 7 AND 8, 1944

ARIZONA

A. C. Williams, State of Arizona.

CALIFORNIA

G. L. Henderson, Kern County Canal & Water Co.

S. T. Harding, Tulare Lake Basin Water Storage District.

R. W. Stanfield, County of Riverside.

R. B. Harris, Irrigation Districts of California.

C. L. Kaupke, Kings River Water Association.

M. E. Salisbury, Los Angeles County Flood Control District.

S. B. Robinson, Colorado River Board of California.

W. A. Smith, Los Angeles County.

Howard A. Miller, Los Angeles Chamber of Commerce.

E. F. Scattergood, Colorado River Board of California.

A. B. Shaw, Jr., Attorney General of California.

James H. Howard, Colorado River Board of California.

L. H. Hauser, Colorado River Board of California.

Earl Redwine, Riverside County.

W. V. Pittman, Riverside County.

Edward Hyatt, State of California.

E. C. Reynolds, United States Chamber of Commerce.

F. H. Mogle, County Flood Control.

Raymond Matthew, State Department of Public Works.

Rolan Curran, Central Valley Project Association.

W. C. Penfield, Santa Barbara County.

C. W. Bradbury, Board of Supervisors, Santa Barbara County.

F. H. Fowler, Colorado River Board of California.

Burnham Enersen, North Kern Water Storage District.

L. H. Adam, Santa Maria Valley Water Conservation District.

W. R. Bailey, Tulare County.

Leroy McCormick, Tulare County.

COLORADO

EUGENE D. MILLIKIN, United States Senator from Colorado.

R. L. Carr, Colorado.

Clifford H. Stone, State of Colorado.

Glenn G. Saunders, State of Colorado.

W. P. Redding, Denver Chamber of Commerce.

A. P. Gumlick, Denver Water Board.

Roscoe Fleming, National Farmers Union.

Gail L. Ireland, Attorney General of Colorado.

George M. Corbett, Colorado.

A. W. McHendrie, Colorado.

CONNECTICUT

S. W. Wadlams, State of Connecticut.

DELAWARE

R. C. Beckett, Interstate Commission on the Delaware River Basin.

IDAHO

Earl Murphy, State Chamber of Commerce.

E. W. Rising, State of Idaho, and Governor of Idaho.

ILLINOIS

J. B. Lamson, C. B. & Q. R. R.

H. J. Gramlich, C. & N. W. R. R.

Leon H. Robbins, Milwaukee Railroad.

A. J. Meseroe, Attorney General.

G. A. Haggander, C. B. & Q. R. R.

R. W. Booze, Federal Power Commission.

Paul E. Carneek, G. T. M. Southern Pacific Co.

D. J. McGanney, G. T. M. Southern Pacific Co.

L. M. Fisher, United States Public Health Service.

KANSAS

C. A. Munger, Republic Valley.

J. E. Kissell, Kansas Reclamation Association.

E. Porter Ahrens, Kansas Reclamation Association.

MAINE

John G. Marshall, State of Maine.

MARYLAND

J. R. Baker, Penn Water & Power Co.

L. H. Sothoron, Interstate Commission on Potomac River Basin.

MASSACHUSETTS

Laurence Curtis, Massachusetts Commission on Interstate Cooperation.

MINNESOTA

W. E. Olson, Minneapolis Civic & Commerce Association.

W. T. Foley, The Farmer.

F. P. Fellows, St. Paul Association of Commerce.

J. W. Haw, Northern Pacific Ry. Co.

A. J. Dexter, Northern Pacific Ry. Co.

MISSOURI

Hugh Denney, State Conservation Commission and State Department Resources and Development.

P. T. Simons, Missouri Pacific R. R.

Sam Shelton, The Post Dispatch, St. Louis, Mo.

MONTANA

W. A. D'Ewart, Montana Reclamation Association.

W. F. Flinn, State of Montana.

Fred Sanborn, Great Northern Ry.

O. S. Warden, State of Montana.

NEBRASKA

John Riddell, State of Nebraska.

George Proud, State Reclamation Association.

E. N. Van Horne, Nebraska Reclamation Association.

Wardner Scott, State Department Roads and Irrigation.

C. P. Peterson, Nebraska.

HUGH BUTLER, United States Senator from Nebraska.

NEVADA

A. M. Smith, State of Nevada.

NEW HAMPSHIRE

Stephen W. Wheeler, State of New Hampshire.

NEW JERSEY

Duane E. Minard, Interstate Commission on the Delaware River Basin.

NEW MEXICO

E. W. Bowen, State of New Mexico.

NORTH DAKOTA

F. J. Fredrickson, Greater North Dakota Association State Water Commission, and Governor Moses.

Harry E. Polk, National Reclamation Association.

R. A. H. Brandt, North Dakota Reclamation Association.

Kenneth W. Simons, State of North Dakota.

SOUTH DAKOTA

M. G. Scott, South Dakota Reclamation Association.

H. M. Pierce, South Dakota Reclamation Association.

Raymond F. Lund, South Dakota Reclamation Association.

A. Svendby, South Dakota Reclamation Association.

FRANCIS CASE, Congressman, South Dakota.

OKLAHOMA

Frank Raab, Division Water Resources.

OREGON

Allan A. Smith, Oregon Reclamation Congress.

Charles E. Stricklin, State Engineer of Oregon.

Robert W. Sawyer, State of Oregon.

PENNSYLVANIA

L. W. Heath, Interstate Commission on the Delaware River Basin.

I. S. Sanli, Pennsylvania Municipal Authorities Association.

Hon. F. Lichtenwalter, Pennsylvania.

J. H. Murdock, Jr., Pennsylvania.

James H. Allen, Interstate Commission on the Delaware River Basin.

C. A. Miller, Interstate Commission on the Delaware River Basin.

TEXAS

J. E. Sturrock, State of Texas.

Max Starcke, Lower Colorado River Authority.

C. S. Clark, Texas Board of Water Engineers.

E. W. Easterling, Lower Neches Valley Authority.

Charles Matula, Lower Colorado River Authority.

A. F. Mitchell, Texas Society of Professional Engineers.

John D. McCall, State of Texas.

R. B. McLeish, State of Texas.

W. G. Hall, San Jacinto, River Conservation and Reclamation District.

UTAH

E. H. Watson, State of Utah.

S. A. Kennedy, Metropolitan Water Board of Salt Lake City.

Ora Bundy, State of Utah.

VERMONT

F. E. Morrissey, Vermont Conservation Board.

Philip Shutler, State of Vermont.

Alban J. Parker, Attorney General, State of Vermont.

S. R. Waterman, Governor of Vermont.

WYOMING

L. C. Bishop, State of Wyoming.

H. T. Person, Wyoming Reclamation Association.

JOSEPH C. O'MAHONEY, United States Senator from Wyoming.

WASHINGTON

Lars Langloe, State Department of Conservation and Development.

Leo E. Lowe, Washington Irrigation Institute; Seattle and State chambers of commerce.

WASHINGTON, D. C.

David J. Guy, Chamber of Commerce of United States.

F. O. Hagie, National Reclamation Association.

E. R. Cotton, Interstate Commission on the Potomac River Basin.

The conference named the following committees:

DRAFTING COMMITTEE

Clifford H. Stone, chairman, Colorado; James H. Allen, Pennsylvania; Philip Shutler, Vermont; John D. McCall, Texas; W. R. Bailey, California; E. W. Rising, Idaho; L. H. Sothoron, Maryland.

COMMITTEE ADVISERS

Senator JOSEPH C. O'MAHONEY, of Wyoming. Senator EUGENE D. MILLIKIN, of Colorado.

RESOLUTIONS COMMITTEE

Robert W. Sawyer, chairman, Oregon; J. E. Sturrock, Texas; Duane E. Minard, New Jersey; Frank Raab, Oklahoma; Fred Fellows,

Minnesota; C. L. Kaupke, California; Franklin Lichtenwalter, Pennsylvania; R. A. H. Brandt, North Dakota; Samuel H. Wadhams, Connecticut; Glenn Saunders, Colorado.

#### TEMPORARY OFFICERS

Alban J. Parker, conference chairman, Vermont; F. O. Hagie, conference secretary-treasurer, Washington, D. C.

#### FAIR EMPLOYMENT PRACTICE COMMITTEE

Mr. CAPPER. Mr. President, I ask unanimous consent to place in the RECORD a letter written by Dr. Karl Menninger, one of the leading businessmen of Topeka, urging prompt action on the bill for a permanent Fair Employment Practice Committee. I heartily approve the stand taken by Dr. Menninger.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

#### THE MENNINGER CLINIC,

Topeka, Kans., September 7, 1944.

Senator ARTHUR CAPPER,

Senate Building, Washington, D. C.

DEAR SENATOR CAPPER: \* \* \* It appears that the bill for a permanent F. E. P. C. may be sidetracked at this session. It seems to me that this would be a great mistake. It would mean sidestepping an extraordinarily important problem. Evasion by Congress of this issue would appear to be a step in the direction of principles advocated by Hitler instead of a step in the direction of principles advocated by our own Thomas Jefferson. Won't you do what you can to see that the bill is reported favorably as soon as possible?

Sincerely yours,

KARL MENNINGER, M. D.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

S. 2053. A bill relating to the pay of officers of the retired list of the Navy serving on active duty in the rank of rear admiral; with an amendment (Rept. No. 1101).

By Mr. WHEELER, from the Committee on Indian Affairs:

S. 1925. A bill to authorize and direct the Secretary of the Interior to issue to Charles F. White a patent in fee to certain land; without amendment (Rept. No. 1102); and

S. 2026. A bill authorizing the issuance of a patent in fee to Richard Pickett; without amendment (Rept. No. 1103).

By Mr. DANAHER, from the Committee on the Judiciary:

S. 573. A bill granting jurisdiction to the Court of Claims to reopen and readjudicate the eminent-domain case of John W. Parish, trustee (John H. Bexten, substituted), and revise its judgment heretofore entered therein; with an amendment (Rept. No. 1104).

By Mr. BARKLEY, from the Committee on the Library:

S. J. Res. 141. Joint resolution memorializing the name of Horace Wells; without amendment.

#### EXEMPTION OF OFFICERS AND EMPLOYEES OF NATIONAL WAR LABOR BOARD FROM PROVISIONS OF CRIMINAL CODE

Mr. HATCH. Mr. President, from the Committee on the Judiciary, I report back favorably with an amendment the bill (H. R. 4349) to exempt certain officers and employees of the National War Labor Board from certain provisions of the Criminal Code, and I submit a report (No. 1107) thereon.

The bill would correct an unusual situation. I shall not ask to have the bill taken up today; but tomorrow, after opportunity has been had to examine the bill, I shall request unanimous consent to have it taken up for immediate consideration.

The VICE PRESIDENT. Without objection, the report will be received, and the bill will be placed on the calendar.

#### NATIONAL SERVICE LIFE INSURANCE ACT OF 1940

Mr. GEORGE. Mr. President, from the Committee on Finance I report back favorably without amendment the bill (S. 2015) to liberalize certain provisions of the National Service Life Insurance Act of 1940, as amended, and I submit a report (No. 1105) thereon, and also from the same committee I report back favorably without amendment the bill (S. 2053) to liberalize certain provisions of the National Service Life Insurance Act of 1940, as amended, and I submit a report (No. 1106) thereon.

I hope Senators will examine the bills and reports, because tomorrow or the next day, if we shall be in session, I shall ask for consideration of the bills. They both deal with the National Service Life Insurance Act of 1940, and are both amendatory of the act in very important respects. This is legislation which ought to pass the Senate before we take a recess.

The VICE PRESIDENT. Without objection, the reports submitted by the Senator from Georgia will be received and the bills will be placed on the calendar.

#### PART-TIME EMPLOYEES OF COMMITTEES—REPORTS

Mr. MEAD, from the Special Committee to Investigate the National Defense Program, in response to Senate Resolution 319, relative to persons employed who are not full-time employees of the Senate or any committee thereof, agreed to August 23, 1944, submitted a report thereon, which was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

#### SPECIAL COMMITTEE INVESTIGATING THE NATIONAL DEFENSE PROGRAM

(Standing or select committee)

SEPTEMBER 1, 1944

#### To the Senate:

The above-mentioned committee hereby submits the following report showing the name of persons employed by the committee who are not full-time employees of the Senate or of the committee, in compliance with the terms of Senate Resolution No. 319, agreed to August 28, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Joe L. Martinez (investigator).....	208 Massachusetts Ave. NW.....	U. S. Maritime Commission, Commerce Building, 14th St. between E St. and Constitution Ave.	\$3,800
Franklin N. Parks (investigator).....	2701 Connecticut Ave.....	Office of Price Administration, Second and D Sts. SW.....	3,800
Harold G. Robinson (chief investigator).....	3446 Highwood Drive SE.....	U. S. Maritime Commission, Commerce Building, 14th St. between E St. and Constitution Ave.	6,000
Brig. Gen. Frank E. Lowe.....	1316 New Hampshire Ave.....	General Staff, U. S. Army, Finance Office, Pentagon Building.....	6,000
Lt. Col. Harry Vaughan.....	1609 Oakcrest Drive, Alexandria, Va.....	do.....	3,500

JAS. M. MEAD, Chairman.

Mr. HATCH, from the Committee on Public Lands and Surveys, pursuant to Senate Resolution 319, supra, submitted a report relating to the subcommittee to investigate public lands, of the Committee on Public Lands and Surveys, which was referred to the Committee on Appropriations and appears under a separate heading.

#### EXECUTIVE REPORTS OF COMMITTEES

As in executive session, The following favorable reports of nominations were submitted:

By Mr. JOHNSON of Colorado, from the Committee on Finance:

Paul S. Nice, of Denver, Colo., to be assayer in the mint of the United States at Denver, Colo., to fill an existing vacancy.

By Mr. CONNALLY, from the Committee on Foreign Relations:

H. Colt MacLean, of Virginia, now a Foreign Service officer of class 2 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America; and

Edward P. Lawton, of Georgia, now a Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

By Mr. HATCH, from the Committee on the Judiciary:

Harold Maurice Kennedy, of New York, to be United States district judge for the eastern district of New York, vice Marcus B. Campbell, deceased.

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Sundry officers of the Naval Reserve for appointment as lieutenants (junior grade) and/or ensigns in the Navy; sundry persons for appointment as assistant surgeons in the Navy, with the rank of lieutenant (junior grade); sundry officers of the Naval Reserve to be assistant paymasters in the Navy, with

the rank of ensign; and Ensign Edward G. Cunney, United States Coast and Geodetic Survey, to be an assistant civil engineer in the Navy, with the rank of lieutenant (junior grade) to rank from July 1, 1944.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:  
Sundry postmasters.

#### BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

S. 2151. A bill for the relief of the village of Cold Spring, Minn.; to the Committee on Claims.

(Mr. VANDENBERG introduced Senate bill 2152, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

By Mr. BAILEY:

S. 2153. A bill conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon any claim arising out of the death of L. W. Freeman; to the Committee on Claims.

By Mr. REYNOLDS:

S. 2154. A bill for the relief of Edgar B. Grier; to the Committee on Claims.

By Mr. STEWART:

S. 2155. A bill to transfer jurisdiction over the Chattanooga National Cemetery, Chattanooga, Tenn., from the Department of the Interior to the War Department, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. KILGORE (for Mr. WALLGREN):

S. 2156. A bill for the relief of Albert J. Walch; to the Committee on Claims.

By Mr. PEPPER:

S. 2157. A bill for the relief of Elmer R. Kinsey; and

S. 2158. A bill for the relief of Mr. and Mrs. James E. McGhee; to the Committee on Claims.

S. J. Res. 154. Joint resolution providing for paying the expenses of returning certain nationals of the United States from the Philippine Islands to the continental United States; to the Committee on Claims.

#### INCREASE OF EXEMPTION LIMITATION ON REGISTRATION OF SECURITIES

Mr. VANDENBERG. Mr. President, last Friday I referred to a letter received by me from the Chairman of the Securities and Exchange Commission discussing the question of the revision of the Securities and Exchange Commission rules so as to facilitate the financing of small business in the post-war era.

I ask consent to introduce a bill this morning to increase the exemption limit on the registration of securities from \$100,000 to \$300,000, which, as I understand the Chairman of the Securities and Exchange Commission, has his approval. I also understand that it will cover substantially the field where assistance and encouragement are necessary in connection with the financing of post-war small business.

Therefore, Mr. President, I am introducing the bill and asking that it be referred to the Committee on Banking and Currency, and I am renewing an expression of the hope that the subject itself may not be much longer entirely ignored by the committee.

There being no objection, the bill (S. 2152) to amend section 3 (b) of the Securities Act of 1933, as amended, so as to permit exemption of security issues not exceeding \$300,000 from the provisions of such act, was received, read twice by its title, and referred to the Committee on Banking and Currency.

#### HOUSE BILL REFERRED

The bill (H. R. 5386) to amend the Selective Training and Service Act of 1940, as amended, to extend the time within which application may be made for reemployment, and for other purposes, was read twice by its title, and referred to the Committee on Military Affairs.

#### RIVER AND HARBOR FLOOD-CONTROL WORKS—AMENDMENT

Mr. TAFT submitted an amendment intended to be proposed by him to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, which was ordered to lie on the table and to be printed.

#### CONTINUANCE ON PAY ROLL OF CERTAIN CLERICAL ASSISTANTS TO SENATORS

Mr. WALSH of New Jersey submitted the following resolution (S. Res. 327), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the clerical assistants and clerk of any Senator who has been appointed to serve until a vacancy caused by the death or resignation of a Senator is filled at the next general election, and serves until such election, shall, if on the pay roll of the Senate at the time of such election, be continued on such pay roll until the beginning of the next regular session of the Congress: *Provided*, That no such employee shall continue on such pay roll after accepting any other legislative employment or employment with the Federal Government. Payment of salaries authorized by this resolution shall be made from the contingent fund of the Senate at the respective rates now provided by law.

SEC. 2. The provisions of this resolution shall be effective beginning with the Seventy-eighth Congress.

#### RETENTION OF ROY W. BROWN AS CAPTAIN OF THE CAPITOL POLICE

Mr. GEORGE submitted the following resolution (S. Res. 328), which was referred to the Committee on Rules:

*Resolved*, That the Sergeant at Arms of the Senate be, and he is hereby, authorized and directed to retain Roy W. Brown, of Rochelle, Ga., in the position now held by him as Captain of the Capitol Police until otherwise ordered by the Senate.

#### PRINTING OF HEARINGS OF SPECIAL COMMITTEE TO STUDY AND SURVEY PROBLEMS OF SMALL BUSINESS ENTERPRISES

Mr. CHAVEZ (for Mr. MURRAY) submitted the following resolution (S. Res. 329), which was referred to the Committee on Printing:

*Resolved*, That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Special Committee to Study Problems of American Small Business, authorized by Senate Resolution 66,

Seventy-eighth Congress (extending S. Res. 298, 76th Cong.), be, and is hereby, empowered to have printed for its use not to exceed 2,000 additional copies of each part of its hearings.

#### INVESTIGATION OF EXPANDED UTILIZATION OF FARM CROPS (S. DOC. NO. 240)

Mr. GILLETTE. Mr. President, I present a report from the subcommittee on the Senate Committee on Agriculture and Forestry, which was charged with the study and investigation of a broad utilization of farm products. The report of the subcommittee is particularly timely and pertinent and one which we hope may be used as a basis for discussion with the Chief Executive in the near future. I ask that it be printed as a Senate document and that it be printed in the body of the RECORD at this point.

There being no objection, the report presented by Mr. GILLETTE was ordered to be printed as a Senate document and also to be printed in the RECORD, as follows:

#### INVESTIGATION OF EXPANDED UTILIZATION OF FARM CROPS (S. Doc. No. 240)

Senate Resolution 224, Seventy-seventh Congress, adopted March 5, 1942, and extended by Senate Resolution 80, Seventy-eighth Congress, on February 11, 1943, reads in part as follows:

*"Resolved*, That the Senate Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the production and means of production and plans for production of industrial alcohol, synthetic alcohol, and synthetic rubber, including the utilization of our natural materials for such purposes, the construction and location of production plants for the necessary processing of materials and resources in the manufacturing of these commodities; also including the organization or organizations now controlling or seeking to control for the future such alcohol and rubber production, together with the use of patents and processes used in such manufacture, and developed or owned in whole or in part by foreign companies, corporations, individuals, or agents, and particularly to inquire into the plans and purposes and policies of our governmental agencies, relative to the full and most economical utilization of grains, canes, fruits, vineyards, and other agricultural materials, in the processing and production of industrial alcohol, synthetic alcohol, and synthetic rubber and further to make inquiry as to contemplated action for settlement or adjudication of pending judicial action, by consent decree or settlement process, involving patent processes or control of such processing and manufacture of synthetic alcohols and rubber."

Pursuant to the above resolution, a subcommittee of the Committee on Agriculture and Forestry of the United States Senate was appointed, composed at first of Senators Guy M. Gillette, chairman, Burton K. Wheeler, Elmer Thomas, George W. Norris, and Charles L. McNary. The positions of the late Senators Norris and McNary were filled by Senators Raymond E. Willis and George D. Aiken.

The committee has held extended hearings over the period from March 20, 1942, to date, on the general subject of the broadened or expanded utilization of the products of farm and forest. Because of the war emergency special emphasis was placed upon the matter

of industrial alcohol and synthetic rubber from these sources.

#### INDUSTRIAL ALCOHOL

This report deals particularly with the problem of greater utilization of the products of farm and forest through the manufacture of industrial alcohol and extending the uses thereof in the organic chemical industry.

The organic chemical industry depends on three principal raw materials, i. e., coal, petroleum, and products of the farm and forest. Coal is principally used in the production of power and heat, petroleum for motive power and heat and agricultural products for feed and foods. The products of farm and forest, through industrial alcohol, have been utilized in the organic chemical industry, but to a very limited extent. One witness described alcohol as the most versatile of all chemical compounds. Dr. R. E. Buchanan, director, Agricultural Experiment Station, Iowa State College, Ames, Iowa, after citing the ability of this country to produce more grain than we can utilize for feed and food, indicated the need for greater dependence of the organic chemical industry on the products of farm and forest by saying:

"With petroleum we are drawing constantly upon our capital and our reserves; with agricultural products we need use only the interest upon our capital stock of land and climate, yet maintain our reserves."

In 1907 this country consumed less than 2,000,000 gallons of industrial alcohol. In the years prior to World War No. 2 annual consumption had grown to from 100,000,000 to 150,000,000 gallons, but this was of little benefit to the domestic farmer because 94 percent of this production and consumption came from petroleum (ethylene) or molasses. Most of the molasses was imported.

In wartime consumption of industrial alcohol has increased many times over the pre-war figure. In 1944 it is estimated the consumption will exceed 600,000,000 gallons. Part of this is due to the expanded use of alcohol in the manufacture of synthetic rubber, but large quantities have also been used in the manufacture of other military supplies.

#### ALCOHOL FOR SYNTHETIC RUBBER

When the committee commenced its hearings in 1942 a program had been laid out by various agencies of the Government to provide this country with synthetic rubber, the normal sources of natural rubber having been almost wholly cut off by the war. That program as originally initiated provided that the entire synthetic rubber program to meet the emergency would be based upon petroleum. After extended hearings, wherein the superiority of the process for making synthetic rubber from alcohol was demonstrated in the matter of speed and utilization of smaller amounts of critical material, the program was changed from week to week until approximately one-third of the scheduled program for synthetic rubber was based on industrial alcohol from farm and forest sources. At the time the committee recommended legislation to set up a rubber director's office. The legislation was passed by the Congress, but vetoed by the Chief Executive. However, the Chief Executive did appoint the Baruch committee whose report brought about the appointment of a rubber director and the solution of the synthetic rubber problem for military purposes, if not entirely for all civilian uses. The plants producing synthetic rubber from alcohol were operating long before the plants using a petroleum base and currently while the alcohol plants were only scheduled to produce one-third of the synthetic rubber they are actually producing almost three-quarters.

The committee believes that maximum production of synthetic rubber from grain should be maintained for, among many others, the following reasons:

1. About \$150,000,000 of Government money has been invested in plants for the production of butadiene and styrene from grain alcohol.

2. Millions more of public funds have been invested in grain-alcohol plants for the production of grain alcohol for rubber.

3. Under present legislation the Government is obligated to purchase some \$2,000,000 worth of surplus grain in the next few years.

4. Thus, producing synthetic rubber in these Government plants will actually cost no more than the processing charges, since the plants and raw materials will be bought and paid for, regardless. Grain rubber would thus actually cost less than petroleum rubber, and probably less than plantation rubber.

5. Not producing grain rubber would cost much more. The Government investments in plants and grain would be lost and in addition, there would be no usable production to offset these costs.

6. Moreover, grain rubber could undoubtedly be sold at a price adequate to cover processing costs and return at least part of the Government's investments in plants and grains.

7. Not only would a substantial part of our rubber requirements be met at minimum real cost, since we have the alternatives of getting rubber from our surplus grain, or nothing, but an economically sensible market for grain surplus would be created by grain rubber.

8. Producing rubber from grain, and thereby keeping men employed on the farm and in rubber factories is certainly a better solution of our farm problem than paying farmers not to produce the grain, thus in effect buying unemployment on the farm and in the factory, or than buying the grain and letting it rot, with consequent unemployment in rubber factories, and no usable production in either case.

9. Moreover maximum production of rubber from grain would serve to keep international prices of crude rubber from becoming exorbitant thus constituting a net saving to the Nation. Grain rubber would save the American people the difference between its cost and what would otherwise be the international price for crude rubber and would stabilize rubber prices.

10. Synthetic rubber should be produced principally from grain rather than petroleum because grains are replaceable and in constant surplus, whereas petroleum reserves are irreplaceable and being constantly depleted.

11. From the standpoint of military security a grain-rubber industry should be maintained to assure us of a source of supply of rubber and to assure us of maximum reserves of oil products in the event of war.

#### MANUFACTURE OF ALCOHOL

In eight of the nine printed volumes of testimony taken by the committee, totaling almost 2,500 printed pages, will be found a fund of information on all phases of the production and utilization of the products of farm and forest in the manufacture of industrial alcohol, the uses of industrial alcohol, and possibilities for other commercial uses of farm crops.

Dr. William J. Hale, President of National Argol Co., told the committee that:

"Alcohol is the only outlet in mass form for agricultural products that we have. There is no other way in which you can bring agricultural products in enormous quantities into the chemical-industrial world save through alcohol."

Industrial alcohol can be manufactured from any of the farm or forest products that have sugar or starch. Principally the sources are: in the southern States, sugarcane, corn, sweet potatoes and rice; in the northern States, corn, wheat, rye, barley, potatoes, and grain sorghums; and wherever timber is grown in quantity the sources are the saw-

dust of the sawmills and the sulphite liquors of the paper pulp mills.

Additional products entering into the organic chemical industry, other than industrial (ethyl) alcohol, can likewise be produced from the products of farm and forest. They include such products as cellulose, acetone, acetic acid, butyl alcohol, glycerol and manitol. The development of 2-3 butylene glycol holds promise of opening up vast fields.

To meet the heavy demands for industrial alcohol, approaching six times the normal pre-war consumption, four steps were taken:

1. The seaboard molasses plants were converted to the handling of grain and the production of industrial alcohol therefrom.

2. The beverage distilleries were converted from the manufacture of beverage liquors to the manufacture of industrial alcohol from grain.

3. Several closed breweries were converted to the manufacture of industrial alcohol from grain.

4. The Defense Plant Corporation built three plants in the grain producing areas, one at Kansas City, Mo.; one at Omaha, Nebr., and one at Muscatine, Iowa, to manufacture industrial alcohol from grain. In addition there is being built on the west coast a plant to manufacture industrial alcohol from waste sulphite liquors and one to manufacture industrial alcohol from sawdust.

#### FUTURE USES OF INDUSTRIAL ALCOHOL

Of the wartime expansion of industrial alcohol, one of the bright possibilities is the continued use of this product in at least a portion of the permanent synthetic rubber industry of the United States.

However, if the Nation is to make full use of its ability in raising grains, it must find a market therefor beyond the normal requirements for feed and food. The alternatives are either bankruptcy of the farmer or a permanent plow-under dole, which, continued long enough, spells bankruptcy for the Nation.

Bankruptcy of the Nation or the farmer is unnecessary if that portion of grain which the farmer raises over and above the requirements for feed and food is channeled into the industrial and commercial market. True, it will have to replace some of the market now controlled by petroleum. But, as has been so often pointed out, the oil wells do not reproduce themselves from year to year as do crops, and the economy of the Nation dictates a conservation of petroleum reserves, whereas we can be quite generous with the yearly crop of grain produced over and above our needs for feed and food.

#### ALCOHOL AS MOTOR FUEL

The balance wheel of our agricultural economy can be the utilization of our surplus grains for motor fuel. Ample testimony throughout the record of the committee hearings indicates that industrial alcohol can be used satisfactorily. It can be used as a blend with gasoline or, the testimony indicates, there are distinct prospects of enlarged uses in the way of a vapor injection direct to the motor though the principal motive power remains gasoline. One of the wartime developments of aviation motors uses this particular technique.

Numerous witnesses were heard with reference to the experience of other countries and the studies in this country in this matter of using alcohol as a motor-fuel blend, or, as some have characterized it, power alcohol.

In order to give the Congress and the people of the country an insight into this problem of power alcohol, a brief resumé of some of the pertinent testimony seems advisable.

Mr. M. M. Rosten, a citizen of Poland, appeared before the committee on several occasions. From 1927 to 1939 Mr. Rosten developed a power-alcohol industry in his

native land. By the end of 1938 he was producing 12,000 gallons of industrial alcohol daily from agricultural products—grain, potatoes, and beet-sugar molasses—all of which was blended with petroleum and sold by the larger oil companies as a motor fuel. Mr. Rosten testified that there were around 1,500 small agricultural alcohol plants in Poland and 36,000 in Germany. He also testified that the quality of the motor fuel was improved by the blend because for each 1 percent of alcohol added the octane rating was increased one point. Mr. Rosten admitted that to secure proper thermal efficiency in using alcohol exclusively as a motor fuel, new engines would have to be built. However, "in using a 10- to 15-percent power alcohol with gasoline, a change in gasoline engines is not needed." Reference will be found in list 1 to the many special articles and reports submitted by Mr. Rosten. Also in list 2 will be found several additional articles pertinent to the subject.

List 1:

Alcohol From Waste Sulfite Liquors in North America, by M. M. Rosten, 50-51.

Alcohol From Waste Sulfite Liquor and the New Role of Alcohol in the Economic Life, by M. M. Rosten, 52-54.

Power Alcohol in Canada, by M. M. Rosten, 60-73.

Alcohol From Waste Sulphite Liquor—An Important and Timely Subject for Consideration by the Pulp Industry, by M. M. Rosten, 74-79.

Statement, by M. M. Rosten, 1736-1742.

Can Power Alcohol End Our Wheat Surpluses?, by M. M. Rosten, 2190-2194.

Letter from Mr. M. M. Rosten, September 12, 1943, 2248-2251.

List 2:

Letter from John N. Cole, president, Vita-Meter Corporation, New York, N. Y., June 9, 1943, 1798-1800.

History of Development of Wood Sugar Process (Scholler) in the United States, by Carl A. Rishell, 2002-2007.

Report of United States Tariff Commission, January 1944, on Industrial Alcohol, 2323-2350.

Section on Possible Use of Alcohol for Motor Fuel, at p. 2339.

Alcohol—How Farming, Forestry, and the Alcohol Industry Can Cooperate for the Good of the Country During Wartime Emergency and in Post-War Reconstruction, by Erwin M. Schaefer, 2364-2365.

Other information before the committee indicates that in addition to Poland and Germany, the countries of France, Italy, the Philippines, and about 20 different countries have utilized alcohol extensively as a motor fuel. During the present war, our neighbor, Cuba, resorted to the utilization of alcohol as a motor-fuel blend as is indicated by the following letter from p. 2405 of the record:

FOREIGN ECONOMIC ADMINISTRATION,  
Washington, D. C., April 4, 1944.  
HON. GUY M. GILLETTE,  
United States Senate.

DEAR SENATOR GILLETTE: This is in reply to your letter of February 26, 1944, asking for information regarding the use of alcohol as motor fuel in Cuba. It is understood that the information is desired for the use of the Senate Subcommittee to Investigate the Use of Farm Crops, of which you are the chairman.

Cuba adopted a mixture of alcohol and gasoline for motor fuel shortly after shipping difficulties in the Caribbean threatened to cut off supplies of petroleum products, nearly all of which must be imported. The official formula at first was 35-percent gasoline and 65-percent alcohol. This formula was changed by a decree dated November 5, 1943, to 25-percent gasoline and 75-percent alcohol. This is still the official ratio. (Unofficial ad-

vices indicate as high as 95-percent alcohol is being used.)

The performance of these mixtures in motor vehicles in Cuba appears to have been satisfactory, and the use of blended motor fuel is increasing. Cork floats in carburetors must be replaced by metal floats, and minor adjustments are necessary. Users are cautioned to clean out tanks and fuel lines thoroughly the first time the mixture is used since alcohol tends to loosen dirt which had not been dissolved by gasoline. Gasoline-alcohol mixtures are not used in tractors to any significant extent in Cuba.

Tests indicate that when gasoline motors are adjusted by raising the compression ratio (to offset the British thermal unit deficiency of alcohol as a motor fuel), alcohol can be used with an efficiency comparable to that of gasoline. In Cuba, however, this adjustment has not been generally made, and as a result the mileage obtained with the current gasoline-alcohol mixture is reported to be only 60 to 80 percent of that obtained with gasoline.

Cuban observers have expressed the opinion that blended fuels tend to cause cylinder walls to become pitted. Recent tests in the United States, however, are reported to have shown that there is considerably less pitting when alcohol is used for fuel than occurs when gasoline is used.

Sincerely yours,

LEO T. CROWLEY,  
Administrator.

An actual experience related before the committee follows:

"I have driven 23,000 miles with a car, without adjustment of carburetor or without any cleaning of carbon or anything of that kind—our firm has been in automotive engineering and I know it thoroughly—we tore our motors down, examined them and put them back into operation without any cleaning or anything of that kind, and at the end of 23,000 miles, with a 10 to 15 percent blend, I had a car that was running 100 percent right and with no carbon in the motor."

Actual copies of advertisements used by American oil companies in foreign advertising praising the benefits of alcohol blend motor fuels, are in the record. Other advertisements show prominent domestic truck and tractor manufacturers advertising their products in the Philippine Islands to operate on Philippine alcohol.

In the committee record will be found copy of a letter written in 1936 by the Honorable HENRY A. WALLACE, then Secretary of Agriculture, pointing out among other things that the automobile threw out of use 35,000,000 acres once needed to feed horses and mules. He pointed out that:

"One of your major projects, the manufacture of fuel alcohol from corn and other agricultural products has been the subject of considerable investigation and thought. We have favored carrying out a practical test of the possibilities on a small commercial scale, but so far the necessary funds have not been made available to the Department. We believe that such a test is a sound approach to the problem."

Since that letter was written funds have been made available and the scientific work is under way. In an appendix hereto will be found a report on the interest of the Department of Agriculture in ethyl alcohol as a motor fuel, showing the research program that is under way. A bibliography is made a part of this report.

In addition to the research work under way at the Northern Regional Research Laboratory at Peoria, Ill., as described in the appendix, the Congress at the present session enacted special legislation authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal, oil shales, agricultural and forestry prod-

ucts, and other substances, in order to aid the prosecution of the war, to conserve and increase the oil resources of the Nation, and for other purposes (Public Law 290, 78th Cong., Apr. 5, 1944). The legislation provides specifically for the construction, maintenance, and operation (in addition to plants to produce synthetic fuels from coal and oil shale) of one or more demonstration plants to produce liquid fuels from agricultural and forestry products and that any activities under this act relating to the production of liquid fuels from agricultural and forestry products shall be carried out in cooperation with the Department of Agriculture and subject to the direction of the Secretary of Agriculture.

THE PROBLEM

The committee, as indicated, has received a vast amount of testimony from which it is convinced that from a technical standpoint alcohol from grain can be successfully used as a motor fuel. Dr. O. R. Sweeney, chemical engineer, Iowa State Agricultural College, Ames, Iowa, told the committee that he didn't think the making of alcohol for use as gasoline was an economic proposition. Likewise the report of the northern regional laboratory appearing in the Appendix, states that the use of alcohol as a motor fuel posed an economic rather than a technical problem.

That is, in the view of the committee, the crux of the whole problem, is it economic?

The answer is not as simple as appears at first blush. It involves determinations of such questions as (1) whether the production of grains will be limited to the food and feed requirements with a plow-under, dole to prevent an oversupply from ruin and bankruptcy of the farmer; (2) whether unlimited and unrestrained production of grain to supply an industrial market, as well as the feed and food market, is preferable to a restricted production; (3) whether that portion of the grain raised over and above the food and feed requirements of the Nation should be subsidized by the Government, or (4) whether a dual pricing system be devised to permit the surplus grain to move into industrial markets; (5) whether, in an overall way, it would be cheaper to turn our surplus grains into the industrial market thus providing wide employment, than to continue a policy of restriction to maintain prices.

CONCLUSION

The committee will continue to carry on its investigations and studies of the above problem. However, as the problem is of such far-reaching importance to the future welfare of the Nation, the committee invites the President to appoint a special committee of three or more outstanding persons to make an impartial study in the manner in which the Baruch committee supplemented the work of this committee in the review of the synthetic rubber problem 2 years ago.

APPENDIX

DEPARTMENT OF AGRICULTURE,  
Washington, June 17, 1943.

HON. GUY M. GILLETTE,  
United States Senate, Washington, D. C.

DEAR SENATOR GILLETTE: In accordance with our letter to you of June 9, 1943, there is enclosed a copy of the report, Interest of the Department of Agriculture in Ethyl Alcohol as a Motor Fuel. This report was prepared by our Northern Regional Research Laboratory at Peoria, Ill., and forwarded to the Bureau of Agricultural and Industrial Chemistry, Agricultural Research Administration, in Washington.

Sincerely yours,

PAUL H. APPELEY,  
Under Secretary.

[Enclosure.]

INTEREST OF THE DEPARTMENT OF AGRICULTURE  
IN ETHYL ALCOHOL AS A MOTOR FUEL  
SUMMARY

The earliest studies conducted in the Department of Agriculture on the use of alcohol as a motor fuel were performed in 1907, when an extended series of tests were conducted with gasoline engines. The results obtained indicated that alcohol could replace gasoline, though 165 parts of alcohol were required to do the work of 100 parts of gasoline. The conclusions reached from those studies are still valid today. Further work on the use of alcohol for power was not done until 1933, when the Bureau of Agricultural Engineering, with the cooperation of the United States Navy Department, investigated the use of 10- to 20-percent alcohol blends in trucks, tractors, and stationary engines. The alcohol-gasoline blends were found to be comparable to gasoline. Several reports and bulletins have been prepared in investigation of the alcohol-gasoline problem, and, in general, the main conclusion was that the use of alcohol posed an economical rather than a technical problem. However, it was recognized that depletion of petroleum reserves and the possibility of subsidizing agriculture might favor the introduction of power alcohol. Therefore, with the establishment of the regional laboratories, the study of alcohol production and its use as a motor fuel was set up as a research project and a pilot plant and motor fuel testing laboratories were installed at the Northern Regional Research Laboratory.

The program of research conducted in the Agricultural Motor Fuels Division of the Northern Regional Research Laboratory has been pursued for only a short period, but results important to the problem have already been obtained. General studies now in progress include the stability of alcohol-gasoline blends toward water; the elimination of aircraft carburetor icing by alcohol injection; determinations of octane ratings of alcohol and alcohol blends; studies on blends of alcohol with gasolines obtained from cracked vegetable oil; investigations of the effects of various additives on the rating of alcohol; and the testing of alcohol under supercharging conditions. Furthermore, full scale testing of alcohol and blends with gasoline is being planned, and equipment for this purpose is now being installed. The program also includes investigation of the corrosiveness of alcohol solutions with respect to alcohol alone, common impurities, corrosion inhibitors and additives.

#### HISTORICAL

The possibility of using alcohol as a motor fuel, either by admixture with gasoline or as alcohol alone, received study as early as 1907 by the Office of Experiment Stations (Office of Experiment Station Bulletin 191). Tests were run on 8 different engines in cooperation with the department of mechanical engineering of Columbia University, New York City (October 1, 1906–February 1, 1907). This work was in the nature of "block tests" rather than roads tests, and was done principally at the university. The scope of the work was fundamentally wide, about 190 separate runs being made. Results showed that while alcohol had only about 0.6 the thermal value of gasoline, the actual relative consumption of the fuels depended upon engine adjustment, load, rate of speed, and other factors. With engines as then designed, about 165 parts of alcohol were required to do the equivalent work of 100 parts of gasoline. Despite the state of existing knowledge of internal-combustion engines at that date, the principal findings of the work still remain relatively sound.

This work was stimulated by the fact that the industrial-alcohol law was passed in 1906, making tax-free alcohol available in the United States for the first time, and by the

fact that similar experimentation was being conducted in Germany. However, practically no data were available in the English language. Because of the fundamental nature of this early work, and of some similar work by the United States Bureau of Mines at about this same date, and due to the fact that the motor industry, as well as the gasoline industry, was in a constant state of change, expansion, and improvement, no further work was done by the Department until after World War No. 1, except for processing and cost studies on the production of alcohol from various farm commodities and from wood.

Subsequent to the armistice and coincidental with the rapid expansion of motorization, the question of the use of alcohol as a motor fuel gradually became increasingly prominent. This was stimulated to some extent by the fact that foreign countries, particularly Germany, which possessed inadequate petroleum resources, which were confronted with agricultural problems, and which had large stocks of alcohol from the war, evolved mixtures of alcohol and petroleum for use in motor fuel in an endeavor to solve various problems of domestic economy simultaneously. In the case of France, such activity developed to the point where the alcohol industry, which was normally small, was virtually maintained by the Government for future national defense reasons, and the excess alcohol produced (largely from wine, sugar beets, and artichokes) was diverted to motor-fuel use by a system of allocations. Similar activities occurred in Italy and Poland, and to a lesser degree in perhaps 20 different countries.

All this foreign activity renewed interest in the United States in similar uses of alcohol as a solution to the surplus-crop question; this interest was greatly stimulated by the effects of the financial depression, and by the low prices then obtainable for cereal grains, and by lack of adequate markets. Much proposed legislation was introduced into the legislatures of the middle-western agricultural States, as well as into Congress, aimed at stimulating the conversion of crops to alcohol through motor-fuel use.

The Bureau of Agricultural Engineering made tests on 10- to 20-percent alcohol blends in cooperation with the United States Navy Department in 1933, using trucks, tractors, and stationary engines (Journal of the Society of Agricultural Engineers, 1933-34). Operation of a standard sedan passenger car for several thousand miles showed mileage performance slightly favoring gasoline. Tests of three trucks ( $\frac{1}{2}$ -,  $1\frac{1}{2}$ -, and  $3\frac{1}{2}$ -ton) gave results that indicated gasoline and alcohol blend were relatively equal, depending somewhat upon conditions. On continued road operation, over-all mileages on a 10-percent blend were slightly below those of gasoline. Tractor tests were made under conditions of field plowing as well as brake tests, using four different tractors. Again the blends were comparable with the gasoline used, and, in some instances, were better.

In 1933 the status of existing knowledge and opinion was condensed by the Department into a report to the United States Senate. This report (S. Doc. 57) summarized costs and methods of producing alcohol from corn, and discussed the behavior of alcohol in motor engines as surveyed in existing literature. It was shown that, with corn at 50 cents per bushel, the over-all cost of 10-percent alcohol-gasoline blends would be about 2.7 cents per gallon more than the cost of equivalent straight gasoline. Economics of the use of surplus crops for production of alcohol were extensively discussed. Effects on grain costs, stock raising, and on agriculture as a whole, were analyzed. Effects on the alcohol industry, as well as the oil industry, were considered, as well as ways and means of meeting the increased cost.

Because of the complexity of the problem, over-all conclusions as to the advisability of embarking on a national power-alcohol program could not be drawn, the proposal being apparently desirable in many ways but of debatable economic value.

At about this same time, experimentation was conducted by the Iowa State College, where road tests on alcohol-fuel blends were tried out. A road test was also made at Washington, D. C., by the Bureau of Standards in conjunction with the American Automobile Association, in which the Department of Agriculture participated.

During this same general period the activities of the Chemical Foundation, Inc., in establishing and operating a plant at Atchison, Kans., to produce motor-fuel alcohol, increased public interest in the subject, as publicized by the farm chemurgic groups.

In 1935 the Bureau of Chemistry and Soils investigated the possibility of the acquisition by the Government of a raisin sirup plant in Fresno, Calif., for operation as an alcohol plant, inasmuch as the Government already had a large financial lien upon this plant. The idea was never carried out, but by this time the Bureau of Chemistry and Soils was devoting a portion of the time of several persons constantly to the study of possible motor-fuel developments.

In 1936, because of the conflicting nature of the data, and opinions concerning the chemistry and economics of the use of alcohol as motor fuel, the Bureau of Chemistry and Soils began a renewed survey of the problem, which was reported in 1938 (Miscellaneous Publication No. 327). In general, it was again shown that the question was more economic than chemical in nature, and that under existing conditions, with gasoline available at low prices, alcohol could not be produced from farm crops at motor-fuel prices to yield the farmers an adequate return on the crop raw materials. It was realized, however, that with the elimination of unfavorable differentials through increases in petroleum costs, as well as establishment of agricultural subsidies, the use of alcohol in motor fuel might become of economic interest.

Study was therefore commenced on the design of a modern pilot plant for studies on alcohol production to determine whether costs of alcohol production could be sufficiently reduced so as to advance the possible future date when the economic border line would be crossed.

With the establishment of the regional laboratories, the alcohol production and motor-fuel work was organized as a complete research project, and a pilot plant for producing alcohol was built at the Northern Regional Research Laboratory, Peoria, Ill. Laboratories for testing motor-fuel blends were also established. During the interim, members of the staff of the Bureau of Chemistry and Soils made many trips studying the several alcohol plants and the entire industrial alcohol industry and various engineering laboratories. Addresses to interested groups, including testimony before congressional investigating committees, were also made. Many journal articles were released, and innumerable conferences held with interested groups.

#### RECENT RESEARCH

In the agricultural motor fuels division of the Northern Regional Research Laboratory, an integral part of the studies includes the subject of fuel testing. Because of delays in obtaining certain necessary equipment, initial operation on fuel testing was delayed until November 1942.

The stability of alcohol in gasoline blends varies greatly with different gasolines. In some cases, relatively small amounts of water introduced into the blend will cause separation, even at normal room temperature. As it was considered impractical to study all

possible gasolines, the present plan is to study the stability of mixtures of alcohol with representative compounds selected from the four characteristic types of constituents of gasoline. Stability with respect to water is being studied for these various mixtures, alone and in the presence of stabilizers, such as isoamyl alcohol. Using the data so obtained, it should be possible, either on the basis of simple physical laws or empirical relations, to predict the stability of alcohol-gasoline blends when the approximate composition of the gasoline is known. It should also be possible to predict which gasolines will be most suitable for blending with alcohol and to specify gasoline compositions for such blending. So far, experiments have been completed for 2 representative gasoline constituents. Furthermore, more than 30 compounds have been studied with respect to their suitability as stabilizers, and it was found that the higher alcohols, such as butyl, etc., were most desirable in this application.

Under certain atmospheric conditions, aircraft engines are subject to carburetor icing, which, of course, causes loss of power and actual stopping of the engine. One method of combating carburetor icing consists of injection of alcohol or solutions of it with aniline, butanol, etc. This method has been studied theoretically in the agricultural motor fuels division, and experimental work is now in progress to test the conclusions reached by theoretical study. When this program is completed, it will be possible to predict the amount of alcohol necessary to prevent ice formation in carburetors.

The octane ratings of alcohol and alcohol blends are also being studied, and it has been found that the pure alcohol has a rating of 90 to 91 O. N. when determined by the CFR-ASTM motor method. It was further found that the addition of water to alcohol increased the octane number to a maximum of 99 at a level of 15 percent water.

In connection with studies performed for China Defense Supplies, Inc., tests were carried out on blends of alcohol with the gasoline obtained by cracking rapeseed oil. A blend of 20 percent alcohol with this gasoline gave an increase of 15 O. N., which indicates a blending value for alcohol of 123 O. N. These results may be of value in alleviating the present serious fuel situation in China.

Since alcohol shows no lead susceptibility, numerous types of compounds have been studied to investigate the possibility of increasing the octane number of alcohol and to clarify the reasons for differences between alcohol as well as certain other types of compounds and hydrocarbon fuels. So far, aniline has proved to be most effective in increasing the knock rating of alcohol. Various chemical modifications of aniline proved to be ineffective or actually lowered the rating of alcohol. The effects of common impurities of alcohol are now under study.

Experimental work on testing of alcohol under supercharging is also in progress. A number of mechanical difficulties have been encountered in supercharged testing, and these mechanical difficulties are gradually being eliminated. So far no conclusions can be drawn.

Full-scale testing of alcohol and alcohol-gasoline blends is also being planned. Part of the equipment for this program is already installed and experimental work will soon be started. The results of these tests with a standard automobile engine will give important information both with respect to engine performance characteristics as well as with respect to the corrosiveness of alcohol and blends.

Some objections have been voiced with respect to the corrosiveness of various alcohol solutions, but available data are very contradictory. A preliminary qualitative survey on this problem has been completed. Though

the results obtained are not conclusive, they are being used as a guide to further more extensive studies. This extended program is being designed to yield quantitative data on alcohol and mixtures with water, manufacturing impurities, corrosion inhibitors, and additives designed to improve the fuel characteristics of alcohol.

Calculations on the theoretical limits of power output, where alcohol is burned in an internal combustion engine, have been published (Industrial and Engineering Chemistry, No. 5, 1942). On the basis of these studies, it is possible to ascertain the limiting efficiency of various combustion processes as well as maximum temperatures and pressures existing in engines where alcohol is used as fuel.

Past reports on the use of alcohol as motor fuel are contradictory in the extreme. This is mainly due to the fact that much past experimentation has not been done under accurately established or controlled test conditions. Much of this work must be repeated. It is the purpose of the program now in progress at the Northern Regional Laboratory to investigate the problem so thoroughly and under such well controlled conditions that such disagreements may be clarified and explained. Because it has been pursued for such a limited time, the research program so far has yielded only a limited amount of information, but such a broad attack is planned that authoritative data can be expected to result.

(The following chronological list of publications, dealing with alcohol production or motor fuel uses, is presented:)

#### BIBLIOGRAPHY ON ALCOHOL—WORK OF THE UNITED STATES DEPARTMENT OF AGRICULTURE

1904-7. Report on distilled liquors. Chas. Albert Grampton. Bur. of Chem. Buls. 81, 90, 99, 105.

1906. Industrial alcohol: Uses and statistics. Farmers Bul. 269. By H. W. Wiley, 29 pp., Ill.

1907. Alcohol, specific gravity tables. Chem. Bul. 107, pp. 203-208.

1907. Industrial alcohol, sources and manufacture. By H. W. Wiley. Originally issued in 1906. Farmers Bul. 268, revised and reissued August 5, 1907.

1907. The use of alcohol and gasoline in farm engines. By C. E. Lucke and S. M. Woodward. Farmers Bul. 277.

1907. Tests of internal combustion engines on alcohol fuel. By Chas. E. Lucke and S. M. Woodward. Office of Expt. Stations Bul. 191.

1907. Chemical methods for utilizing wood. By F. P. Vieth. Bur. of Chem. Circular 38.

1907. Alcohol, preparation from sawdust. Chem. Circular 36, p. 40.

1907. Alcohol, manufacture from cassava. Chem. Bul. 106, p. 29.

1908. Alcohol, byproduct of starch factory. Farmers Bul. 334, p. 14.

1908. Model denatured alcohol distillery. By H. E. Sawyer. No number. Printed.

1910. Manufacture of denatured alcohol, based on the operations of an experimental still at Washington, D. C. By H. W. Wiley. Bur. of Chem. Bul. 130.

1910. Potato culls as a source of alcohol. By A. O. Wente and L. M. Tolman. Farmers Bul. No. 410.

1910. Alcohol, making, from yautias and taros, investigations. Bur. Plant Industry Bul. 164, p. 17.

1911. Industrial alcohol: Sources and manufacture. Farmers Bul. 429 (reissue of Farmers Bul. 268).

1913. Alcohol, manufacture from raisin seeds. Bur. Plant Industry Bul. 276.

1915. Agricultural alcohol: Studies on its manufacture in Germany. By Edward Kremers. U. S. D. A. Bul. 182.

1920. Manufacture of ethyl alcohol from wood waste. By E. C. Sherrard. Mimeo. Circular L9-668 Forest Products Laboratory.

1921. Forest products as motor fuels. By E. C. Sherrard. Forest Products Laboratory. Jour. Amer. Soc. of Lubrication Engineers.

1921. Manufacture of ethyl alcohol from wood waste. By E. C. Sherrard, Forrest Products Laboratory. Chemical Age, Vol. 29, No. 2.

1922. Ethyl alcohol from Western Larch. By E. C. Sherrard. Jour. Ind. Eng. Chem., Vol. 14, No. 10. Forest Products Laboratory.

1922. Alcohol, grain, production from wood waste. Dept. Circular 231, pp. 34-35.

1922. The manufacture of ethyl alcohol from wood waste. By F. W. Kressman, U. S. D. A. Bul. 983.

1922. Information on industrial alcohol. By W. W. Skinner. (Circular, mimeog.) Unnumbered. Revised May 1, 1936 (unnumbered). Revised January 1, 1938, by P. Burke Jacobs and reissued as MC-22. Revised March 1943 by P. Burke Jacobs and reissued as AIC-3.

1933. Use of alcohol from farm products in motor fuel. A report by the Secretary of Agriculture. Senate Document 57, 73d Congress, 1st session.

1933. Performance tests on alcohol-gasoline fuel blends. R. B. Gray Jour. Amer. Soc. Agric. Engineers, Vol. 14, p. 185.

1934. Alcohol-gasoline blends as engine fuel. By R. B. Gray. Jour. Amer. Soc. Agric. Engineers, Vol. 15, No. 3, pp. 106-109.

1938. Alcohol motor fuel in the United States. In the Agricultural Situation. Vol. 22, No. 12 (December 1938), pp. 20-23, by P. B. Jacobs.

1938. Motor fuels from farm products. By P. B. Jacobs and H. P. Newton. Misc. Publ. No. 327, 129 pp., Ill.

1939. Use of alcohol from farm products in motor fuel. Hearings on S. 552, a bill to remove the Federal tax on alcohol motor fuel, before a subcommittee of the Committee on Finance. United States Senate, May 23-25, 1939. (Contains testimony of department representative.)

1939. Motor fuels from agricultural products. By P. B. Jacobs. Report, National Resources Committee, 1939. (Section: Energy Resources and National Policy, pp. 332-337.)

1940. Agricultural motor fuels. By W. P. Van Arsdell. Prepared for National Resources Bulletin, B. A. E. and Yearbook of Agriculture, 1940.

1942. Mollier diagrams for theoretical alcohol-air and octane-water-air mixtures. By R. Wiebe, J. Schultz, and J. Porter. Jour. Ind. Eng. Chem., Vol. 34, No. 5 (pp. 575-580), May 1942.

1943. Recovery of byproduct feed at alcohol plants. By P. B. Jacobs and Gordon W. McBride. Mimeo. Cir. NM-233. March 1943. Report to (Gillette) subcommittee of the Committee on Agriculture and Forestry, United States Senate.

#### THE JACKSON HOLE AND OTHER NATIONAL MONUMENTS

Mr. GILLETTE. Mr. President, apropos of the recent discussion in the newspapers and other organs of publicity relative to the Jackson Hole National Monument, I ask unanimous consent to have printed in the Record a letter received by me from Mr. Irving Brant, an eminent journalist, which refers to the outstanding conservation record of Maj. John F. Lacey, former Republican Member of the House of Representatives from Iowa, who was the author or sponsor of the Antiquities Act on which the action relative to the Jackson Hole area was based. Mr. Brant's letter includes a brief excerpt from an address delivered by former Representative Lacey and a letter addressed to Representative Lacey by former President Theodore Roosevelt.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

SEPTEMBER 8, 1944.

The Honorable GUY M. GILLETTE,  
United States Senate,  
Washington, D. C.

DEAR SENATOR GILLETTE: As you undoubtedly know, one of the greatest of American conservationists was your fellow Iowan, Maj. John F. Lacey, who had a long and distinguished career in the National House of Representatives. He was the author of the Lacey Act which suppressed the traffic in bird plumage; was one of the chief promoters of national forest reserves; and wrote the Antiquities Act of 1906 under which the President is empowered to establish national monuments.

Major Lacey's opinion of the scope of this last act is of public importance today, because bills are pending in Congress to abolish the Jackson Hole National Monument, on the theory that President Roosevelt distorted the purpose of the 1906 act in setting up this monument. This on the face of it is an extraordinary assumption, since national monuments similar in nature have been established by all Presidents from 1906 onward, most notably by President Theodore Roosevelt, who signed the Antiquities Act and exercised authority under it while its sponsors were still in Congress.

Much of the confusion today is due to the fact that the only public hearings on this subject were held in 1904 on two Senate bills which related solely to the preservation of historic and prehistoric ruins and antiquities. In 1906, Congressman Lacey wrote a bill which was introduced in both Houses as H. R. 11016 and S. 4698, the Senate bill becoming law. No hearings were held on either bill. Lacey's measure broadened previous proposals by providing that not only antiquities but "objects of historic or scientific interest" might be proclaimed national monuments by the President. Lacey at that time had a bill pending to create the Petrified Forest National Park, and part of his purpose (as he told Dr. T. S. Palmer of the Biological Survey) was to make it possible to proclaim that area a national monument instead of making it dependent on separate legislation. He said nothing about this either in the report of the House Committee on Public Lands or in debate on the floor, but to realize the effect of what he wrote into the bill after the hearings on the original proposal, one need merely start making three tabulations of objects covered by the bill:

1. All aboriginal ruins on the public domain.
  2. All objects of historic interest.
  3. All objects of scientific interest.
- It is obvious that the first list, whether long or short, must be definite. The second and third are limited only by the scope of history and science, unless, as some people are now arguing, the word "objects" applies only to dead and ancient things.

Thinking that the Iowa Congressman might have left a record of his meaning, I took occasion during a recent visit to Iowa City to go to the State historical society and look into the John F. Lacey Memorial Volume, compiled by your old friend, Prof. L. H. Pammel, of Iowa State College. From it I send you two excerpts:

1. The opening paragraphs of a speech by Major Lacey making the broadest statement I have ever seen of the purposes of the Antiquities Act, and specifically citing and endorsing the establishment, under its provisions, of a 600,000-acre national monument for the protection of the Olympic elk.

2. A letter from President Theodore Roosevelt to Major Lacey, written only 5 weeks after the President signed the Antiquities Act, congratulating Lacey on his great serv-

ices for the preservation of objects of natural and historical interest.

Lacey described "my bill for the preservation of aboriginal ruins and places of scenic and scientific interest." Theodore Roosevelt used the words "natural and historic interest." Both of them thus interpreted the law in terms of living science, of wildlife, scenic beauty, rather than the dead and ancient things to which present-day challengers of the law would limit it. To Lacey objects meant places. Theodore Roosevelt created, and Lacey endorsed, the particular national monument which most nearly resembles the one at Jackson Hole—the earlier monument protecting the Olympic elk range, the later one the Yellowstone elk range, for which purpose John D. Rockefeller has spent \$1,500,000 in a proffered gift to the Nation. Had these acts been contrary to the purposes of the law which Major Lacey wrote, would not he, as well as others, have protested instead of endorsing the actions taken while he was still in Congress?

I have no doubt that the campaign against the Jackson Hole National Monument, largely founded on misinformation, will give way to cordial support of the action taken by President Franklin D. Roosevelt when the facts are understood, both as to this specific monument and the law under which it was created. It will be fitting if in the process, renewed attention is brought to the work of the great Iowan who made these national monuments possible, and who worked so ardently throughout his life for the preservation of forests and wildlife.

IRVING BRANT.

#### THE PAJARITO—AN OUTING WITH THE ARCHEOLOGISTS

(By Maj. John F. Lacey)

It was in August 1902 that Prof. Edgar L. Hewett urged me to visit the ruins of the cliff dwellers and cave dwellers and see for myself the necessity and propriety of the enactment of a law to protect and preserve the ancient aboriginal ruins of the Southwest; and so Dr. Hewett, Congressman B. S. Rodey, Land Commissioner Keen, and myself visited the Pajarito region; slept in the deserted caves, explored the communal ruins, and then pursued our journey to the still-living Pueblos of Santa Clara, San Ildefonso, Cochiti, ending with Santa Fe and Acoma.

It was this trip that led to the introduction and passage of my bill for the preservation of aboriginal ruins and places of scenic and scientific interest upon the public domain, under which the Petrified Forest, the Olympic Range Elk Reserve and about 200 places of ethnological interest have been designed as "monuments" and preserved to the public. And it was the enactment of this law which led to the formation of the School of American Archeology.

OYSTER BAY, N. Y., July 16, 1906.

Hon. JOHN F. LACEY, M. C.,  
Oskaloosa, Iowa:

MY DEAR MR. LACEY: Certain gentlemen interested in the preservation of the forests of this country, and also interested, though to a less degree, in the preservation of the wildlife of the country, and the objects of natural and historic interest which should be kept unharmed for the sake of those who come after us, have written to me expressing their deep sense of obligation to you for all that you have done in Congress to further these matters. They have spoken to me of presenting some memorial to you so that their sense of appreciation may be put in permanent form. I do not know whether this will be done, but I sympathize so cordially with their feelings that I desire to take advantage of this occasion to write you and say how much it means to any man who

believes in hard, intelligent, and disinterested public service to see such a career as yours has been in Congress. It has been my privilege to be closely associated with you and to watch the many different ways in which, without any hope or expectation of personal reward, you have rendered efficient public service. I give utterance to the feelings of very many men when I express to you my cordial thanks and extend to you my earnest good wishes.

Sincerely yours,

THEODORE ROOSEVELT.

NOTE.—Published in Maj. John F. Lacey memorial volume.

#### FORUM DISCUSSION BY SENATOR AUSTIN AND SENATOR VANDENBERG ON THE REPUBLICAN PARTY'S FOREIGN POLICY

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD a discussion by himself and Senator VANDENBERG in the People's Forum, broadcast on Saturday, June 24, 1944, relative to the Republican Party's foreign policy, which appears in the Appendix.]

#### ADDRESS BY SENATOR CONNALLY, NOTIFYING SENATOR TRUMAN OF HIS NOMINATION AS VICE PRESIDENT

[Mr. HATCH asked and obtained leave to have printed in the RECORD the address delivered by Senator CONNALLY at ceremonies notifying Senator TRUMAN of his nomination as Vice President, at Lamar, Mo., on August 31, 1944, which appears in the Appendix.]

#### TRIBUTE TO THE LATE GEORGE W. NORRIS BY RICHARD L. NEUBERGER AND STATEMENT BY SENATOR CAPPER

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a tribute to the late George W. Norris, former Senator from Nebraska, by Richard L. Neuberger, published in the Progressive Magazine, and a brief statement made by him after the death of Senator Norris, which appear in the Appendix.]

#### THE INVASION AND AMERICA FIRST—ARTICLE FROM THE CATHOLIC WORLD

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article entitled "The Invasion and America First" from the Catholic World for July 1944, which appears in the Appendix.]

#### THE 1944 QUEBEC CONFERENCE—EDITORIAL FROM CONCORD DAILY MONITOR

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial entitled "Another Brush-Off," dealing with the 1944 Quebec Conference, published in the Concord (N. H.) Daily Monitor of September 14, 1944, which appears in the Appendix.]

#### POST-WAR WORLD SECURITY

Mr. WILEY. Mr. President, the second Quebec Conference is now a matter of history. The future strategy of the war was considered and planned there, and undoubtedly Russia and China will play their part in the plan there discussed. Our great war leaders, General Marshall, Admiral King, and General Arnold, and British war experts were there. President Roosevelt and Winston Churchill, as the Executives of our two nations, gave approval to the plan there outlined. It was the experts, the men of war, the men of strategy, who submitted the outline and the plan.

Every day brings us closer to a victory in Europe and when that day comes we shall see what we shall see will happen to Poland and the smaller nations that have

found themselves in the path of the juggernaut of war. Undoubtedly, besides the war strategy, the two leaders discussed also what is to happen to Poland and the other smaller nations, but the decision of Russia will determine the course of history in relation to most of these nations. It is for America and Britain to use their influence to see that Poland lives again, and that other peoples get fair and just treatment. I have repeatedly stated that the mere signing of a treaty, or the creation of some international authority by virtue of appropriate national action, will not suffice. There must be back of the instrument the will of the people of the agreeing nations and the leaders of those nations to live up to the letter and the spirit of the treaty or agreement. Nations will have to take the blinders from their eyes so they can see that the world has been contracted by the genius of men—some have called it the evil genius—and that every nation is neighbor to others, and that unless each puts into operation the rule, that it is its neighbor's keeper instead of its neighbor's destroyer—chaos, worse confounded, will result.

Have we learned lessons from our past mistakes? I hope so. We in America, because of our fortunate geographic situation, are in a position to contribute much to a realization of that vision, but we know that unless other peoples catch the gleam, our vision will not be sufficient.

I ask, Mr. President, Will the Baltic States be willing to be incorporated into Russia? Will Russia be satisfied without the control of the Dardanelles? Will the Polish issue be settled amicably and durably? Will the Balkan States still remain the boiling pot for war? What about French Indochina and India? When Germany is defeated, what then? Should smaller states be created out of her territory?

While we have the assurance from Mr. Churchill that Britain will join wholeheartedly with us in defeating Japan, will Russia give us bases in Siberia? What shall be done with the imperial possessions of France and Holland in the Far East, and their subject peoples?

I raise all these issues because it appears to me, especially from the correspondence which comes day by day that there is much loose thinking, much wishful thinking, which indicates that our people seem to feel that all we have to do is to adopt a resolution and join some international authority or league. Mr. President, it was only a few years ago that we joined with the other nations of the world in the Kellogg-Briand Pact, and by that instrument we sought to outlaw war. Did we do so? No; we merely indulged in some synthetic thinking and procedure. It is not possible to outlaw war by any legislative process. It is not possible to get rid of war merely by passing a measure and getting other nations to agree to it.

Mr. President, the nations could have made the Kellogg-Briand Pact good if they had willed it so. I repeat, no mere legislation, no mere treaties, no mere instruments, are sufficient. We must re-

member that world order will be brought about only when the qualities of mind and soul of the Master become real and operative in the nations. The peoples of earth have an opportunity now to go forward in a great progression toward human betterment.

There will be no practical solution of the world's problems until the peoples of earth look beyond their short-range vision, away from selfishness and hate and greed, and act their part as good neighbors. My own personal opinion is that the nations are ready to try to find the way, but it is no magic road; it is a road which the peoples of earth must pave themselves by getting rid of the causes of war.

Whether that attempt to make good will be effectual will depend upon whether or not they can purge themselves of those things that make for war. America can lead the way, but because she is the custodian of the "great lights" of the race she must lead on with faith, but ever remembering to remain constantly alert and on guard. We cannot afford to have any more Pearl Harbors in the days that are to come. If we do, the next Pearl Harbor will mark the downfall of the Nation.

At the Moscow Conference last October, two important decisions were made by the Foreign Secretaries of the United States, Great Britain, and the Soviet Union. The first and more immediately important decision was to fight the present war against Germany and her European satellites through to a victorious finish in the closest cooperation.

Mr. President, General Marshall was quoted over the radio last night somewhat to the effect that if we are to solve our post-war international problems we must demonstrate in peace the very qualities that have been demonstrated among the Allies in war. We must learn to iron out our differences, we must learn to go forward in harmony so as to effectuate the purpose we have in mind.

The decision to which I referred as having taken place in the Moscow Conference was later affirmed by the governments of these three Allied nations, and let me emphasize that nothing has since occurred which would in any way indicate that any one of the three allies has had a change of heart. Let me further emphasize that the Government and the peoples of Great Britain, the United States, and the Soviet Union are alike determined to smash Hitlerism completely on the continent of Europe, and to eradicate the ideas of Hitler and Hirohito, Nazi thought, Fascist thought, everywhere on the globe. Let me also emphasize that the governments and the peoples of the three major allies will continue the war in close cooperation until they have accomplished their primary objective.

The second and ultimately important decision was to establish "at the earliest practicable date, a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all states, large and small, for the maintenance of international peace and security."

This decision has also been ratified by the governments of all three major allies. Nor is there any evidence anywhere that any of the three major allies has had a change of heart about the necessity for close post-war cooperation in the building of a world of security and peace.

There is, however, and there is bound to be, debate and discussion about the ways and means of accomplishing this necessary purpose.

I have pointed out in previous talks that before any of the three major allies can undertake to cooperate in a system of world security, each must be reasonably assured of its own security. And I have emphasized that one of the most hopeful prospects of building a world-wide security system follows from the fact that each of the three major allies can achieve its own reasonable security without expense to either of the other two. But the Moscow declaration proposes to build the post-war security system around the principle of the sovereign equality of all peace-loving states, large and small.

Moreover, at the Teheran Conference, President Roosevelt, Prime Minister Churchill, and Premier Marshal Stalin ratified this principle, in effect, in these plain words:

Emerging from these friendly conferences we look with confidence to the day when all peoples of the world may live free lives untouched by tyranny and according to their varying desires and their own consciences.

If the Moscow and Teheran declarations mean anything at all, they mean that the peoples of all peace-loving states, large and small, shall be assured a reasonable security to live according to their own varying desires and their own consciences.

If these declarations mean anything at all, they must mean particularly that the small states of Europe which were once accepted in the family of nations as sovereign equals must have their sovereignties restored, or should at least be given opportunity freely to say whether they want their sovereignties restored.

Now it would be easy enough for the United States to overstress and oversimplify this principle of equal sovereignty and equal security. It would be easy for the United States to do this because this country can achieve its own reasonable security without expense to the reasonable security of any other state, large or small.

But our two major allies are not in the same fortunate position as we find ourselves. Our two major allies are not separated from other states, particularly other large and potentially powerful states, by two broad oceans. Our two major allies are next-door neighbors to the German Reich, which has twice within a single generation attempted to impose its will on them with an iron hand. And since none of the major Allies proposes to destroy Germany, since we propose only to destroy Hitlerism, our European allies are faced with the prospect of again living as next-door neighbor to a potentially powerful German state. They are faced with the prospect of estimating as closely and as wisely as they know their own reasonable security

needs in the explosive and uncertain Europe which will come out of this war.

That is why it is understandable that prominent British leaders should be looking forward to the possibility of a closer relationship with the democracies of western Europe.

That is why it is understandable that the Soviet Union should show a lively concern with the national geography of post-war eastern Europe.

Events of recent months have stressed all too clearly the gravity of the problem posed by Soviet security in relation to any proposed system of post-war world security or even post-war European security.

The problem is clear enough. Simply stated, it is this:

To what extent is the Soviet Union justified in seizing upon the indubitably favorable opportunity which will exist after the certain and total defeat of Germany in achieving the security of her European borders?

The problem is a problem because the Soviet Union insists that her own reasonable security demands that she retain within her own sovereign state certain smaller European states and parts of states along her western and southwestern borders.

The problem is aggravated by the fact that the Soviet Union acquired possession of these states and parts of states during the period between August 23, 1939, and June 21, 1941, when she had a nonaggression pact with Hitler's Third Reich.

Specifically, the Soviet Union occupied the tiny Baltic states of Estonia, Latvia, and Lithuania in late September and early October 1939, and as a result of unilateral elections in the three States, formally incorporated them as union republics in August 1940. Specifically, the Soviet Union sent troops into Poland on September 17, 1939, as a result of a prior agreement with Germany, and on September 28 established with Germany the Ribbentrop line, which divided fallen Poland between the two great powers. And on October 22 and October 26, 1939, as the result of unilateral elections in occupied Poland, Polish White Russia and the Polish Ukraine asked to be incorporated in the White Russian union republic and the Ukrainian union republic, and on November 1, 1939, the Supreme Soviet Union recommended that these requests be granted.

Again specifically, on March 31 at the close of the war with Finland, the Soviet Union incorporated certain one-time Finnish territory in the Karelo-Finnish union republic and on August 2, 1940, it incorporated most of Bessarabia, for a time a Rumanian province, into the Moldavian union republic.

Now whatever we may think of the nonaggression pact signed by the Soviet Union with the Third Reich on August 23, 1939, we must grant that in rushing into these Baltic, Polish, and Bessarabian territories in those grave and hectic days when Hitler's Wehrmacht was trampling all western and southeastern Europe, Soviet Russia was merely taking obvious and desperately necessary precautions to defend herself against the

day when Hitler would strike eastward into her own heartlands.

Putting the matter bluntly, but putting it in all fairness, Soviet Russia acted in urgent self-defense in 1939 and 1940. She undertook desperate and extreme measures to meet a desperate and extreme situation. She did no more or no less than any other great state would do when threatened with a fight for very existence.

It does not matter too much that in 1939 and 1940 the Soviet Union acquired these border states and border provinces with the tacit consent of Hitler. As Hitler himself so frankly confessed in 1941, when he finally hurled his armies against Russia, he had been merely "going along" with Soviet policy in 1939 and 1940 until such time as he felt strong enough to have a final accounting with the Russian colossus.

What does matter, however, is whether the 22,000,000 people involved were incorporated into the Soviet Union in 1939 and 1940 according to "their varying desires and their own consciences."

What does matter is whether these people regard their states and provinces as equally sovereign members of the Soviet Union.

Let us, as Americans, approach this difficult problem frankly and honestly. And let us first of all admit its difficulty.

Let us admit that the Soviet Union has as much right to take every precaution against the future as we have or as the British have or as a reborn France one day will have.

Let us admit that the farther westward and southward Russia can push her borders, the safer will be the Russian heartland.

But having granted all this, we are still confronted with the inescapable fact that in pushing her borders westward and southward, the Soviet Union is doing so at the expense of the states and provinces which once were sovereign states or parts of sovereign states.

Having granted the Russian needs for every reasonable security, we are still confronted with the question whether the peoples of Estonia, Latvia, Lithuania, western Poland, and Bessarabia were incorporated into the Soviet Union as a result of their own choice, freely expressed.

The overwhelming majority of the people of the western democracies are not convinced that the elections held in Poland in the fall of 1939 or the elections held in the Baltic states in the summer of 1940 were free elections. They are not convinced that even granting the elections represented an actual choice by the peoples then involved, the choice would be the same in a reasonably secure post-war Europe. The choice of 1939 and 1940 was quite obviously a narrow one. It was the choice between Soviet occupation and savage Nazi domination.

There is an obvious solution of the difficulty, a solution which seems to rest entirely with the Soviet Union.

The solution, of course, would be to offer these peoples full opportunity as soon as this war ends, again to express

their choice. Should they vote in such new elections to remain within the Soviet Union, the Soviets would then have not only a sound political right, but a sound moral right to retain them.

Due to a clause in the Russian Constitution of 1936 the Soviet Union could offer such free elections without any violence to constituent union membership. The 1936 constitution specifically provides that any member republic can legally withdraw from the Union at any time. Because of the unique conditions under which the states and provinces in question were incorporated into the Soviet Union, this constitutional provision would be particularly applicable.

It is scarcely necessary for me to point out what such a free gesture on the part of Moscow would mean to the post-war world. It is scarcely necessary to point out what a firm foundation of mutual trust and confidence such special elections would build for our world-wide post-war security system.

Such action on the part of Moscow would not only prove beyond reasonable doubt to any reasonable person the sincerity of Soviet purpose, it would commit the entire post-war world to an actual policy of permitting all subject peoples everywhere actual opportunity to live according to the principles laid down at Teheran. It would commit not only Soviet Russia but Great Britain and the United States to speeding the day "when all peoples of the world may live free lives untouched by tyranny and according to their varying desires and their own consciences."

The recent action of the Supreme Soviet in amending the constitution of 1936 to permit the 16 member republics of the Soviet Union to deal directly with other countries and to raise their own armies, should facilitate plebiscites in the regions in question. Such free elections would, in fact, be a logical next step in the development of the policy announced by the Supreme Parliament of the Soviet Union on February 1.

Nor would such free elections prevent the Soviet Union from entering into mutual assistance treaties, such as the one with Czechoslovakia, with any states which might vote for separation. On the contrary, they would lay the soundest possible foundation for all such treaties.

Should the Soviet Union refuse to offer this obvious solution to the Baltic and Polish problem, what then?

In that event, I can only say that we should continue to make every reasonable effort to work out our pledged system of post-war world security despite all difficulties. We must do so because we cannot afford to accept the dreadful alternative, the prospect of still another world war before we shall have repaired the ravages of this one.

#### SALE OF DOMESTIC GOLD AND SILVER IN FOREIGN MARKETS

Mr. SCRUGHAM. Mr. President, on September 1, I introduced in the Senate of the United States Senate bill 2125, a bill which proposes that all gold and silver domestically produced which may be in excess of any requirements of the war effort, may be freely sold in

foreign markets. If this bill were to become law, such sales would, of course, be subject to any restrictions placed on the sale of gold or silver by foreign countries.

It is my belief that there is an avid demand for the precious metals in various foreign countries. This belief is substantiated by the various reports which come to me of both regular market quotations and black market quotations in various foreign countries, showing the demand for gold and silver to be so great that various people of the world are willing to pay prices for gold and silver far in excess of the so-called world price, which world price really is a figure set by two countries, the United States and Great Britain.

I believe the sale of our gold and silver produced currently in excess of our requirements would have a beneficial effect not only accruing to those countries where such sales might be made, but also in adding to the income of our domestic mining industry.

I am aware that most of the gold and silver now produced is a byproduct of the strategic and critical minerals which we are mining for the war effort. A great part of these minerals are being produced only under a subsidy program. If higher prices could be obtained abroad for the byproducts, gold and silver, these subsidies could be reduced at a considerable saving to the Public Treasury. To increase the income of companies mining strategic and critical minerals and metals which also produce gold and silver as a byproduct would certainly help to accomplish this desirable result.

Mr. President, those who believe that our Treasury has already acquired enough gold and silver certainly should have no objection to currently mined metal being sold in foreign countries. When the restrictions imposed upon the mining industry by the illogical and onerous gold closing order, L-208, are finally removed by the War Production Board, the possibility of obtaining higher prices for gold with which to offset the tremendously increased costs of mining undoubtedly would help to stimulate the revival of this major western source of income.

Mr. President, when the strategic and critical minerals industry begins to feel the inevitable cut-backs already affecting other industry, we must turn to other sources of jobs to take care of our workers, and other sources of taxes to help pay for the war. We should do everything within our power to stimulate the gold and silver mining industry in order that it may help take up the slack. While the manufacturing industries can look forward to reconversion, the mining industry can only look forward to reopening of gold and silver mines and to the initiation of new mining ventures.

Mr. President, my information that foreign countries are desirous of obtaining gold and silver has received corroboration from an important and rather startling source.

In the London Financial Times for Tuesday, August 22, 1944, is reprinted an article from the South African Mining

and Engineering Journal. This article was written by that eminent financier, formerly a member of the central board of the Reserve Bank of India, a past president of the Federation of Indian Chambers of Commerce and Industry, and a director of several banking, commercial, and shipping companies, Sir Chunilal B. Mehta.

I wish to quote a few paragraphs from the gentleman's authoritative article:

India has always been an importer of both gold and silver. It is a well-known fact that the Indian masses, whenever they have any savings, are accustomed to buy gold and/or silver.

After the start of the First World War the Government of India prohibited imports of gold, with the result that the internal price of gold began to advance. On the other hand, the Government of India slowly raised the exchange value of the rupee, according to which the internal price of gold should have declined. But owing to the prohibition of imports of gold the internal price did not decline, though the rupee value was being raised.

In order to bring down the internal price of gold, the Government of India began to sell small quantities of gold in India at rupee exchange parity price. All this gold was taken up by the public, and as soon as sales were discontinued prices again advanced.

Following some discussion of the financial situation with respect to gold after the First World War, the article states:

After the start of the present war, gold imports were again prohibited, as in the First World War, with the result that the internal price of gold began to rise. India being one of the most important bases for supplies of men, money, and material in this war, huge purchases of articles, materials, and services were, and are, being made in India by Allied Governments.

Payments for all these materials and services are to be made in India in terms of rupees. This resulted in a large increase of currency notes in circulation in India. Notes in circulation on September 1, 1939, were about Rs. 182 crores, and about the end of July 1943 the notes in circulation were about Rs. 740 crores, with all the indications of a further increase.

A considerable rise had taken place in the prices of all commodities, and consequently in the cost of living. A severe type of inflation was coming into existence, and it seems that both the Government of India and the British Government realized that if they did not check the rapid inflationary trend in India it would adversely affect the whole war effort. They were not in a position to supply either consumer goods or capital goods.

All measures of rationing, restrictions, quotas, etc., were found to be only temporary expedients, and when they found that there was no other alternative to control the situation they set up a program of selling gold in India.

It is a well-known fact that the world gold price is a fixed one. In terms of sterling it is 168s per ounce and in terms of dollars it is \$35 per ounce. The rupee exchange is at 18d and the sterling dollar exchange is at \$4 per pound. On this basis the price of gold in India should be about Rs. 42 per tola. Therefore, in the ordinary course of events, the Government of India should have insisted upon the United Kingdom and the United States Governments selling their gold in India at about Rs. 42 per tola. But that is not the case.

Instead the United Kingdom and the United States Governments are allowed to sell gold in India at the rate of Rs. 71 or even higher per tola, thus allowing them to sell gold at a considerable premium. The argu-

ment put forward is that the United Kingdom and the United States Governments are buying different commodities and articles in India at a substantial premium, and therefore those Governments are allowed to sell gold at a substantial premium in order that they may secure a sufficient number of rupees to meet their expenditure in India. Anyhow, what is more surprising is that India, which sold large amounts of gold at the average rate of Rs. 35 per tola, is not now supplied with sufficient quantities of gold even at more than double the price.

I particularly want to observe that Rs. 42 per tola at present rate of exchange means in our money \$33.73 per ounce. Rs. 71 per tola means \$57.03 per ounce. This, Mr. President, as you well know, is a figure greatly in excess of the \$35 per ounce set by the Government of the United States.

I particularly want to emphasize the statement:

Instead, the United Kingdom and the United States of America Governments are allowed to sell gold in India.

Why, if the eminent gentleman is correct in his statement, should the United States Government be permitted to sell gold at a price greatly in excess of \$35 in India and perhaps, for aught I know, in other countries, when the domestic producer is limited to a price of \$35 per ounce in the face of excessive costs which undoubtedly will continue for some years subsequent to the war?

Mr. President, we are not alone in believing that our gold producers should benefit from high foreign prices. A state of unrest is noted in South Africa because of the British restrictions on the gold price. Corroboration of this is seen in a further quotation from the article:

A new and very interesting controversy seems to have arisen recently in regard to the sales of gold in India by the United Kingdom and the United States of America at a premium of about 70 percent. Some of the South African leaders have begun to claim that they should also have a share in the profits that are being secured from the sales of gold in India. The issues at stake are being discussed by the financial papers of London, extracts of which are being telegraphed to India.

Mr. President, I do not want to take up the time of the Senate to discuss Sir Chunilal B. Mehta's article in great detail, but I do want to quote his closing paragraph:

The present war has resulted in important changes in the international distribution of the world's monetary gold stocks.

The appetite for gold is more discernible in western countries than in eastern countries. The only difference is that western countries want to acquire gold at certain fixed prices, while the eastern countries are prepared to pay higher prices. India has recently acquired gold at double the price, to the extent of about 3,000,000 ounces, and still there is a very big gap to fill to place her on her pre-1931 basis as regards private gold stocks.

I think a very definite inference can be read into this closing statement, with regard to silver. If the appetite for gold is more discernible in western countries than in eastern countries, certainly the appetite for silver is more discernible in eastern countries than in western countries.

At this point I wish to call the attention of the Senate to an agreement recently negotiated by the British authorities in behalf of the Indian Government, resulting in lend-lease 100,000,000 ounces of treasury seigniorage silver. This silver was intended to be used largely for coinage purposes. I call attention to the fact that this lend-lease silver is now being sold on the Bombay market in quantities of 200 bars per day and that prices range from \$1 to \$1.09 per fine ounce. If the rate of exchange of the Indian rupee were at parity with the dollar, these prices would be in excess of the monetary value of silver in the United States, now \$1.29 per ounce.

Mr. President, I believe the whole article from which I have quoted should receive the attention of the Congress and the mining industry. I believe it supplies substantial reasons why my bill, S. 2125, should pass the Congress. I ask, therefore, unanimous consent that the entire article entitled "Battle of the Rupee and Gold" be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Financial Times of August 22, 1944]  
BATTLE OF THE RUPEE AND GOLD—RIVAL CLAIMS  
OF SOUTH AFRICA AND INDIA  
(By Sir Chunilal B. Mehta)

[Much discussion has taken place lately on the sale of gold in India and South Africa's claim to a portion of the enhanced price.

[India's point of view is set out in the following article, which suggests that India should be allowed to buy at the fixed price. The author, Sir Chunilal B. Mehta, is a former member of the central board of the Reserve Bank of India, a past president of the Federation of Indian Chambers of Commerce and Industry, and a director of several banking, commercial, and shipping companies.]

Possibly the most-discussed subject in the world today, apart from the war, and one which has been engaging the attention of the leading governments of the world, is gold. There are predictions that the war will soon be over, yet no one is in a position to say when it will actually end.

But preparations for peace are being diligently made by the Allied Governments, and the pride of place in those preparations is being occupied by gold.

Talks have centered on the subject of gold in post-war international monetary and exchange arrangements or agreements. South Africa is the largest gold-producing country in the world; the United States of America is the largest individual holder of stocks of gold; the United Kingdom is between the two as leader and mother country of the British Empire. Russia is also interested as a substantial producer of gold, but India is not allowed to take any direct active part in those talks, though India is the one country which has played, and will continue to play, a most important part in world's gold economy.

#### CONVERTED SAVINGS

India has always been an importer of both gold and silver. It is a well-known fact that the Indian masses, whenever they have any savings, are accustomed to buy gold and/or silver. Before the First World War the exchange value of the rupee was fixed at 16d. Accordingly, the internal price of gold was Rs. 24 per tola.

After the start of the First World War the Government of India prohibited imports of gold, with the result that the internal price

of gold began to advance. On the other hand, the Government of India slowly raised the exchange value of the rupee, according to which the internal price of gold should have declined. But owing to the prohibition of imports of gold, the internal price did not decline, though the rupee value was being raised.

In order to bring down the internal price of gold, the Government of India began to sell small quantities of gold in India at rupee exchange parity price. All this gold was taken up by the public, and as soon as sales were discontinued prices again advanced.

#### STABILIZED RUPEE

After the end of the First World War, the Government of India stabilized the exchange value of the rupee at 18d. gold, which meant an internal price of about Rs. 21-5-0 (rupees 21 and annas 5) per tola of gold. This price was well maintained until 1931, when Great Britain abandoned the gold standard, and by a stroke of pen the then Secretary for India in London altered the link of the rupee from 18d. gold to 18d. sterling, thereby saving a number of exchange banks, who had entered into rupee exchange contracts, from considerable losses.

Not only that, but by that action he maintained the previous currency relationship between Great Britain and India. Owing to the abandonment of the gold standard by Britain, sterling began to depreciate, and the rupee being linked to sterling, also depreciated, thereby raising the internal price of gold. The Indian masses, who were accustomed to consider the price of Rs. 24 per tola of gold as a fair one, began to sell gold at every advance in the price of gold in terms of rupees, and increasing exports of gold began to take place.

The Indian commercial community requested the Government of India, with one voice, to prohibit the exports of gold and to buy it against the issue of currency notes. The United Kingdom was in great need of gold, and in order to meet her obligations to the United States of America she was interested in seeing that gold continued to be exported from India, and no export ban on gold was placed.

Thus, it was India's gold that came to the rescue of the British credit at a critical juncture. These exports of gold continued until sometime after the commencement of the present war. It is generally estimated that gold worth about Rs. 500 crores has been exported from India since September 1931, and the average price realized would not be more than Rs. 35 per tola. This means that at the present price of Rs. 71 per tola, the value of gold exported would be more than about Rs. 1,000 crores.

#### RIISING PRICE

After the start of the present war, gold imports were again prohibited, as in the First World War, with the result that the internal price of gold began to rise. India being one of the most important bases for supplies of men, money, and material in this war, huge purchases of articles, materials, and services were, and are, being made in India by Allied Governments.

Payments for all these materials and services are to be made in India in terms of rupees. This resulted in a large increase of currency notes in circulation in India. Notes in circulation on September 1, 1939, were about Rs. 182 crores, and about the end of July 1943, the notes in circulation were about Rs. 740 crores, with all the indications of a further increase.

A considerable rise had taken place in the prices of all commodities, and consequently in the cost of living. A severe type of inflation was coming into existence, and it seems that both the Government of India and the British Government realized that if

they did not check the rapid inflationary trend in India, it would adversely affect the whole war effort. They were not in a position to supply either consumer goods or capital goods.

All measures of rationing, restrictions, quotas, etc., were found to be only temporary expedients, and when they found that there was no other alternative to control the situation, they set up a program of selling gold in India.

It is a well-known fact that the world gold price is a fixed one. In terms of sterling it is 168s per ounce and in terms of dollars it is \$35 per ounce. The rupee exchange is at 18d and the sterling dollar exchange is at \$4 per pound. On this basis the price of gold in India should be about Rs. 42 per tola. Therefore, in the ordinary course of events the Government of India should have insisted upon the United Kingdom and the United States Governments selling their gold in India at about Rs. 42 per tola. But that is not the case.

Instead, the United Kingdom and the United States Governments are allowed to sell gold in India at the rate of Rs. 71 or even higher per tola, thus allowing them to sell gold at a considerable premium. The argument put forward is that the United Kingdom and the United States Governments are buying different commodities and articles in India at a substantial premium, and therefore those Governments are allowed to sell gold at a substantial premium in order that they may secure a sufficient number of rupees to meet their expenditure in India. Anyhow, what is more surprising is that India, which sold large amounts of gold at the average rate of Rs. 35 per tola, is not now supplied with sufficient quantities of gold even at more than double the price.

#### PREMIUMS AND PROFITS

A new and very interesting controversy seems to have arisen recently in regard to the sales of gold in India by the United Kingdom and the United States of America at a premium of about 70 percent. Some of the South African leaders have begun to claim that they should also have a share in the profits that are being secured from the sales of gold in India. The issues at stake are being discussed by the financial papers of London, extracts of which are being telegraphed to India.

The London papers say that the British Government is spending large amounts in terms of rupees in India, and as such they should have this premium. They also say that for purchases made by South Africa in India in terms of rupees they would have no objection to South Africa taking the advantage of the premium price of gold in India.

But any further sales of gold in India by South Africa over and above their rupee requirements would result in accumulations of rupees in India on behalf of the South African Government. That will mean running the risk of having the rupees accumulated in India, which, owing to the purchasing power of the rupee being much less internally, might become depreciated after the war, and thus the South African Government would suffer loss.

At the same time, they also say that the rupee is not likely to depreciate after the war, but that the internal prices of commodities in India will decline. They further say that they are not prepared to convert the surplus rupees of the South African Government in terms of sterling and pay in sterling to South Africa.

Full details of all the arguments of the South African leaders are not available in India, but it is felt that they might be claiming that they should be allowed to convert rupees into sterling. They might also argue that as there is no probability of the rupee being depreciated after the war, they will be

able to utilize the accumulated rupees to their advantage. The British financial papers also point out that if the United States authorities do not reconsider their tariff policy after the war, the one-way traffic would be continued, meaning that the United States of America will always have a favorable trade balance, and, as such, it will be difficult to have dollar exchange after the war, and therefore they advise South Africa to accumulate dollars against gold instead of rupees.

#### MARKET VALUE

Not only that, but it is reported that the South African Minister of Mines has put forward a claim to the effect that after the war South Africa expects to be paid the full market price for her gold instead of an artificially fixed price. It is argued in London that if such a claim is adopted and carried out it would mean that the whole of the South African gold output will be swallowed by the bottomless pit of the Indian, Chinese, and other eastern hoarding demand.

The result will be that the post-war world reconstruction will be gravely handicapped, as the sterling, dollar, and other currencies would have to be adjusted on the basis of gold prices in eastern countries, which would upset the entire economic system of western countries. In order to meet such a situation, a suggestion has been made that the embargo on the import of gold into India should continue even after the war, or there should be a high duty on gold imports into India; which would check the Indian demand for gold on the one hand and would deprive South Africa of the advantage of the high price in India on the other, thus forcing South Africa to sell her gold output to the western countries at their official prices.

After the end of the First World War, when the post-war depression set in, one of the main causes brought forward for the then depression was the maldistribution of gold. The United States of America had become a creditor country after the end of the First World War, and the closing of its doors to imports of goods and services from outside was the main cause of most of the gold being attracted to United States of America.

After the devaluation of the franc, France was able to accumulate a considerable amount of gold, but except for that the maldistribution continued. India played its part most prominently in adjusting this world maldistribution of gold by exporting huge quantities from 1931 onwards. But ultimately all this gold found its way to the United States of America, and the maldistribution continued. The result was that the different continental countries adopted economic nationalism, barter system for import and export of goods, quotas, and restrictions.

#### THE WESTERN APPETITE

The present war has resulted in important changes in the international distribution of the world's monetary gold stocks.

The appetite for gold is more discernible in western countries than in eastern countries. The only difference is that western countries want to acquire gold at certain fixed prices, while the eastern countries are prepared to pay higher prices. India has recently acquired gold at double the price, to the extent of about 3,000,000 ounces, and still there is a very big gap to fill to place her on her pre-1931 basis as regards private gold stocks.

#### CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Ferguson	Radcliffe
Andrews	George	Reed
Austin	Gillette	Revercomb
Bailey	Green	Reynolds
Ball	Guffey	Robertson
Bankhead	Gurney	Scruggs
Barkley	Hatch	Shipstead
Brewster	Hawkes	Stewart
Bridges	Hayden	Taft
Buck	Johnson, Calif.	Thomas, Idaho
Burton	Johnson, Colo.	Thomas, Okla.
Bushfield	Kilgore	Tunnell
Butler	Langer	Tydings
Byrd	McCarran	Vandenberg
Capper	McClellan	Wagner
Caraway	McKellar	Walsh, Mass.
Chavez	Maloney	Walsh, N. J.
Clark, Idaho	Mead	Wheeler
Clark, Mo.	Millikin	Wherry
Connally	O'Daniel	White
Cordon	O'Mahoney	Wiley
Danaher	Pepper	Willis

Mr. BARKLEY. I announce that the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from Alabama [Mr. HILL], the Senator from Indiana [Mr. JACKSON], the Senator from Illinois [Mr. LUCAS], the Senator from South Carolina [Mr. MAYBANK], the Senator from Arizona [Mr. MCFARLAND], the Senators from Utah [Mr. MURDOCK and Mr. THOMAS], the Senator from Montana [Mr. MURRAY], the Senator from Louisiana [Mr. OVERTON], the Senator from Georgia [Mr. RUSSELL], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are detained on public business.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Louisiana [Mr. ELLENDER] are necessarily absent.

Mr. WHERRY. The Senator from Oregon [Mr. HOLMAN], the Senator from North Dakota [Mr. NYE], the Senator from Massachusetts [Mr. WEEKS], and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The Senator from Pennsylvania [Mr. DAVIS] and the Senator from New Hampshire [Mr. TOBEY] are absent on official business.

The Senator from Oklahoma [Mr. MOORE] is unavoidably absent.

The VICE PRESIDENT. Sixty-six Senators have answered to their names. A quorum is present.

#### EXTENSION OF UNEMPLOYMENT COMPENSATION—CONFERENCE REPORT

Mr. GEORGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2051) to amend the Social Security Act, as amended, to provide a national program for war mobilization and reconversion, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and

agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

#### "TITLE I—OFFICE OF WAR MOBILIZATION AND RECONVERSION"

"SECTION 101. (a) There is hereby established the Office of War Mobilization and Reconversion, which shall be headed by the Director of War Mobilization and Reconversion (hereinafter called the "Director"). The Director shall be appointed by the President, by and with the advice and consent of the Senate shall receive compensation at the rate of \$15,000 per year, and shall serve for a term of two years.

"(b) The following agencies shall be placed within the Office of War Mobilization and Reconversion and shall exercise their functions subject to the general supervision of the Director:

"(1) Office of Contract Settlement, created by the Contract Settlement Act of 1944.

"(2) Surplus War Property Administration, created by Executive Order Numbered 9425 (if such Administration is in existence after the Office of War Mobilization ceases to exist), and the Surplus Property Board created by the Surplus Property Act of 1944.

"(3) Retraining and Reemployment Administration, created by Executive Order Numbered 9427 (if such Administration is in existence after the Office of War Mobilization ceases to exist), and the Retraining and Reemployment Administration created by title III of this Act.

"Nothing in this subsection shall imply any derogation of the powers of the Director under subsection (c) with respect to the agencies placed within his office or with respect to other agencies not specifically placed within his office.

"(c) In addition to any powers which the President is authorized to and does delegate to the Director for the purpose of more effectively coordinating the mobilization of the Nation for war, the Director shall, subject to the direction of the President—

"(1) formulate or have formulated such plans as are necessary to meet the problems arising out of the transition from war to peace;

"(2) issue such orders and regulations to executive agencies as may be necessary to provide for the exercise of their powers in a manner consistent with the plans formulated under this section or to coordinate the activities of executive agencies with respect to the problems arising out of the transition from war to peace. Each executive agency shall carry out the orders and regulations of the Director expeditiously and, to the extent necessary to carry out such orders and regulations, shall modify its operations and procedures and issue regulations with respect thereto. Nothing contained in this section shall be construed as authorizing any activities to carry out any plans formulated under this section which are not within the scope of the powers possessed by the President or the executive agencies under provisions of law other than this section;

"(3) recommend to the Congress appropriate legislation providing authority to carry out plans developed under this section but not authorized under existing law;

"(4) promote and assist in the development of demobilization and reconversion plans by executive agencies; develop procedures whereby each executive agency is kept informed of proposed demobilization and reconversion plans and proposals which relate to its work and which are being developed or carried out by other executive agencies; and settle controversies between executive agencies in the development and administration of such plans;

"(5) cause studies and reports to be made for him by the various executive agencies which will enable him to determine the need for the simplification, consolidation, or elimination of such executive agencies as have been established for the purposes of the war emergency, for the termination, or establishment by statute, of executive agencies which exist under Executive order only, and for the relaxation or removal of emergency war controls;

"(6) institute a specific study, for submission to the President and the Congress, of the present functions of the various executive agencies in the field of manpower, and develop a program for reorganizing and consolidating such agencies to the fullest extent practicable;

"(7) consult and cooperate with State and local governments, industry, labor, agriculture, and other groups, both national and local, concerning the problems arising out of the transition from war to peace; and

"(8) submit reports to the President, the Senate, and the House of Representatives on the 1st days of January, April, July, and October, on the activities undertaken or contemplated by him under this Act. Such reports shall summarize and appraise the activities of the various executive agencies in the field of demobilization and post-war adjustment, and may include such legislative proposals as he may deem necessary or desirable.

"(d) The Director shall, within the limits of funds which may be made available, employ and fix the compensation of such Deputy Directors and other officers and employees, and may make such expenditures for supplies, facilities, and services, as may be necessary to carry out his functions. All such officers and employees shall be appointed in accordance with the civil-service laws and their compensation fixed in accordance with the Classification Act of 1923, as amended, except that Deputy Directors and expert administrative, technical, and professional personnel may be employed and their compensation fixed without regard to such laws. To the fullest extent practicable, the Director shall perform the duties imposed upon him through the facilities and personnel of other executive agencies; and for that purpose only he is authorized to delegate to the appropriate agencies and provide for the redelegation of the powers and duties vested in him, except the power to issue orders and regulations to other executive agencies. The Director may require such reports and information from executive agencies as he deems necessary to enable him to carry out his functions under this Act, and each executive agency shall furnish any information and reports so required.

"Sec. 102. (a) There is hereby created an advisory board, which shall consist of twelve members who shall be appointed by the President by and with the advice and consent of the Senate. All of the members of the Board shall represent the general public and the public interest, but in order that the Board may have the benefit of experience in the matters with which it will deal under this Act, three members of the Board shall have had experience in business management, three members shall have had experience in matters relating to labor, and three members shall have had experience in agriculture. The President shall designate one of the remaining three members as chairman of the Board.

"(b) It shall be the general function of the Board to advise with the Director with respect to war mobilization and reconversion and make to him such recommendations relating to legislation, policies, and procedures as it may deem necessary.

"(c) Members of the Board shall receive a per diem allowance of \$25 for each day spent in actual meetings of the Board or at conferences held upon the call of the Director,

plus necessary traveling and other expenses incurred while so engaged.

#### "TITLE II—DEMobilIZATION AND RECONVERSION POLICIES

"Sec. 201. The War and Navy Departments shall not retain persons in the armed forces for the purpose of preventing unemployment or awaiting opportunities for employment.

"Sec. 202. Any contracting agency shall terminate prime contracts for war production whenever in the opinion of the agency the performance under such contracts will not be needed for the prosecution of the war, and shall not continue performance under such contracts merely for the purpose of providing business and employment, or for any purposes other than the prosecution of the war, unless the Office of War Mobilization and Reconversion finds that the continuation of some or all of the work in process under any such contract will benefit the Government or is necessary to avoid substantial physical injury to a plant or property.

"Sec. 203. Curtailment of war production or terminations of war contracts shall be integrated and synchronized with the expansion, resumption, or initiation of production for other war purposes, and, to the greatest extent compatible with the effective prosecution of the war, of production for nonwar use. To effectuate this policy—

"(a) the contracting agencies shall continuously survey their product and material requirements and report to the Director, in such form and detail as he may determine, on current and anticipated changes in requirements and on all anticipated curtailments of war production or terminations of war contracts;

"(b) the executive agencies exercising control over manpower, production, or materials shall permit the expansion, resumption, or initiation of production for nonwar use whenever such production does not require materials, components, facilities, or labor needed for war purposes, or will not otherwise adversely affect or interfere with the production for war purposes. Such production for nonwar use shall be permitted regardless of whether one or more competitors normally engaged in the same type of production are still engaged in the performance under any contract which is needed for the prosecution of the war, and shall not be made dependent upon the existence of a concern or the functioning of a concern in a given field of activity at a given time;

"(c) the Director shall—

"(1) establish policies to be followed by the contracting agencies in selecting individual contracts or classes of contracts for curtailment, nonrenewal, or termination.

"(2) establish policies providing for full and prompt consultation between the executive agencies, war contractors, and the representatives of the employees of war contractors with regard to obtaining the most effective use in other war production or in production for nonwar use of facilities and manpower to be released through anticipated curtailments in war production or terminations of war contracts.

"Sec. 204. (a) Whenever the expansion, resumption, or initiation of production for nonwar use is authorized, on a restricted basis, by any executive agency having control over manpower, production, or materials, the restrictions imposed shall not be such as to prevent any small plant capable and desirous of participating in such expansion, resumption, or initiation of production for nonwar use from so participating in such production.

"(b) Whenever such executive agency allocates available materials for the production of any item or group of items for nonwar use, it shall make available a percentage of such materials for the exclusive use by small plants for the production of such item or group of items. Such percentage shall be determined

by the head of such agency after giving full consideration to the claims presented by the chairman of the board of directors of the Smaller War Plants Corporation and shall be fair and equitable.

"(c) In allocating the materials thus set aside among such small plants, such executive agency shall establish criteria, standards, quotas, schedules, or other conditioning factors after consultation with the chairman of the board of directors of the Smaller War Plants Corporation. Such executive agency shall allocate such materials directly to such small plants and shall, to the fullest extent practicable, provide for making such allocations through local offices easily accessible to such small plants. For the purposes of this title, a small plant means any small business concern engaged primarily in production or manufacturing either employing two hundred and fifty wage earners or less, or coming within such other categories as may be established by the head of such executive agency in consultation with the chairman of the board of directors of the Smaller War Plants Corporation. Such other categories shall be defined by taking into consideration the comparative sizes of establishments in a particular industry as reflected by sales volumes, quantities of materials consumed, capital investments, or by other criteria which are reasonably attributable to small plants rather than medium or large size plants.

"Sec. 205. The Attorney General is directed to make surveys for the purpose of determining any factors which may tend to eliminate competition, create or strengthen monopolies, injure small business, or otherwise promote undue concentration of economic power in the course of war mobilization and during the period of transition from war to peace and thereafter. The Attorney General shall submit to the Congress within ninety days after the approval of this Act, and at such times thereafter as he deems desirable, reports setting forth the results of such surveys and including recommendations for such legislation as he may deem necessary or desirable.

#### "TITLE III—RETRAINING AND REEMPLOYMENT

"Sec. 301. There is hereby established a Retraining and Reemployment Administration (hereinafter referred to as the 'Administration'), the functions of which, subject to the general supervision of the Director of War Mobilization and Reconversion, shall be exercised by a Retraining and Reemployment Administrator (hereinafter in this title referred to as the 'Administrator'), to be appointed by the President, by and with the advice and consent of the Senate, and to receive a salary at the rate of \$12,000 per annum. The same person may serve as Administrator and as Administrator of Veterans' Affairs, but in such case he shall receive only the salary provided by this section.

"Sec. 302. It shall be the function of the Administration—

"(a) to have general supervision and direction of the activities of all existing executive agencies (except the Veterans' Administration and the Administrator of Veterans' Affairs) authorized by law relating to retraining, reemployment, vocational education, and vocational rehabilitation for the purpose of coordinating such activities and eliminating overlapping functions of such agencies. To the extent necessary to achieve such purposes the Administrator shall have power to issue regulations in connection with the work of such executive agencies, but nothing in this title shall be deemed to confer any power or authority upon any such agency or authorize any activities by any such agency not authorized by provisions of law other than this title, or to extend any existing power beyond the date upon which it would otherwise expire; and

"(b) to confer with existing State and local agencies and officials in charge of existing programs relating to retraining, reemployment, vocational education, and vocational rehabilitation for the purpose of coordinating the activities of existing Federal agencies with the activities of such State and local agencies.

"Sec. 303. The Administrator shall, within the limits of funds which may be made available, employ and fix the compensation of such Assistant Administrators and other officers and employees, and may make such expenditures for supplies, facilities, and services as may be necessary to carry out his functions and the functions of the Administration. All such officers and employees shall be appointed in accordance with the civil-service laws and their compensation fixed in accordance with the Classification Act of 1923, as amended, except that Assistant Administrators and expert administrative, technical, and professional personnel may be employed and their compensation fixed without regard to such laws. To the fullest extent practicable, the Administrator shall perform the duties imposed upon him through the facilities and personnel of other executive agencies.

#### "TITLE IV—ADVANCES TO STATE UNEMPLOYMENT FUNDS

"SEC. 401. (a) Section 904 (a) of the Social Security Act, as amended, is further amended by inserting, immediately before the period at the end of the second sentence of the subsection, a comma and the following: 'or deposited pursuant to appropriations to the Federal unemployment account'.

"(b) Section 904 (e) of the Social Security Act, as amended, is further amended by inserting, after the words 'a separate book account for such State agency' a comma and the following: 'the Federal unemployment account'.

"(c) Section 904 of the Social Security Act, as amended, is further amended by adding, at the end of the section, the following new subsections:

"(g) The Secretary of the Treasury is authorized and directed, prior to audit or settlement by the General Accounting Office, to make transfers from the Federal unemployment account to the account of any State in the Unemployment Trust Fund in accordance with certification made by the Board pursuant to section 1207, not exceeding the amount on deposit in the Federal unemployment account at the time of such transfer.

"(h) There is hereby established in the Unemployment Trust Fund a Federal unemployment account. There is hereby authorized to be appropriated to such Federal unemployment account a sum equal to the excess of taxes collected prior to July 1, 1943, under title IX of this Act and under the Federal Unemployment Tax Act, over the total unemployment administrative expenditures made prior to July 1, 1943; and there is hereby authorized to be appropriated to such account for the fiscal year 1945 and for each fiscal year thereafter (1) a sum equal to any excess of taxes collected in the preceding fiscal year under the Federal Unemployment Tax Act over the unemployment administrative expenditures made in such year, and (2) such further sums, if any, as may be necessary to carry out the purposes of title XII. Any amounts in the Federal unemployment account on October 1, 1947, and any amounts repaid to such account after such date, shall be covered into the general fund of the Treasury. As used in this subsection, the term 'unemployment administrative expenditures' means expenditures for grants under title III of this Act, for the administration of that title by the Board, and for the administration of title IX of this Act and of the Federal Unemployment Tax Act by the Department of the Treasury and the Board. For the purposes of this subsection there shall be de-

ducted from the total amount of taxes collected prior to July 1, 1943, under title IX of this Act, the sum of \$40,561,886.43 which was authorized to be appropriated by the Act of August 24, 1937 (50 Stat. 754).

"SEC. 402. The Social Security Act, as amended, is further amended by adding at the end thereof the following new title:

#### "TITLE XII—ADVANCES TO STATE UNEMPLOYMENT FUNDS

"SEC. 1201. (a) In the event that the balance in a State's account in the Unemployment Trust Fund on June 30, 1945, or on the last day in any ensuing calendar quarter which ends prior to July 1, 1947, does not exceed a sum equal to the total contributions deposited in the Unemployment Trust Fund under the unemployment compensation law of the State during that one of the two calendar years next preceding such day in which such deposits were higher, the State shall be entitled, subject to the provisions of subsections (b) and (c) hereof, to have transferred from the Federal unemployment account to its account in the Unemployment Trust Fund an amount equal to the amount by which the unemployment compensation paid out by it in the calendar quarter ending on such day exceeded 2.7 per centum of the total remuneration which was paid during such quarter and was subject to the State unemployment compensation law.

"(b) The Social Security Board is authorized and directed, on application of a State unemployment compensation agency, to make findings as to whether the conditions for the transfer of moneys provided for in subsection (a) hereof have been met; and if such conditions exist, the Board is directed to certify, to the Secretary of the Treasury, from time to time, the amounts for transfer in order to carry out the purposes of this title, reduced or increased, as the case may be, by any sum by which the Board finds that the amounts transferred for any prior quarter were greater or less than the amounts to which the State was entitled for such quarter. The application of a State agency shall be made on such forms, and contain such information and data, fiscal and otherwise, concerning the operation and administration of the State law, as the Board deems necessary or relevant to the performance of its duties hereunder.

"(c) Any amount transferred to the account of any State under this section shall be treated as an advance, without interest, to the unemployment fund of such State and shall be repaid to the Federal unemployment account from the unemployment fund of that State to the extent that the balance in the State's account in the Unemployment Trust Fund, at the end of any calendar quarter, exceeds a sum equal to the total contributions deposited in the Unemployment Trust Fund under the unemployment compensation law of the State during that one of the two calendar years next preceding such day in which such deposits were higher. The Secretary of the Treasury shall, after the end of each calendar quarter, transfer from the unemployment account of each State in the Unemployment Trust Fund to the Federal unemployment account the amount required to be repaid from the unemployment fund of such State at the end of such quarter under this subsection.

#### "TITLE V—PUBLIC WORKS

"SEC. 501. (a) In order to encourage States and other non-Federal public agencies to make advance provision for the construction of public works (not including housing), the Federal Works Administrator is hereby authorized to make, from funds appropriated for that purpose, loans or advances to the States and their agencies and political subdivisions (hereinafter referred to as "public agencies") to aid in financing the cost of architectural, engineering, and economic investigations and studies, surveys, designs,

plans, working drawings, specifications, procedures, and other action preliminary to the construction of such public works: *Provided*, That the making of loans or advances hereunder shall not in any way commit the Congress to appropriate funds to undertake any projects so planned.

"(b) Funds appropriated for the making of loans or advances hereunder shall be allotted by the Federal Works Administrator among the several States in the following proportion: 90 per centum in the proportion which the population of each State bears to the total population of all the States, as shown by the latest available Federal census, and 10 per centum according to his discretion: *Provided*, That the allotments to any State shall aggregate not less than one-half of 1 per centum of the total funds available for allotment hereunder: *Provided further*, That no loans or advances shall be made with respect to any individual project unless it conforms to an over-all State, local, or regional plan approved by competent State, local, or regional authority.

"(c) Advances under this section to any public agency shall be repaid by such agency if and when the construction of the public works so planned is undertaken. Any sums so repaid shall be covered into the Treasury as miscellaneous receipts.

"(d) The Federal Works Administrator is authorized to prescribe rules and regulations to carry out the purposes of this section.

"(e) As used in this section, the term 'State' shall include the District of Columbia, Alaska, Hawaii, and Puerto Rico.

#### "TITLE VI—MISCELLANEOUS PROVISIONS

"SEC. 601. When used in this Act—

"(a) The term 'executive agency' means any department, independent establishment, or agency in the executive branch of the Government, including any corporation wholly owned by the United States.

"(b) The term 'contracting agency' means any Government agency which has been or hereafter may be authorized to make contracts pursuant to section 201 of the First War Powers Act, 1941, and includes the Reconstruction Finance Corporation and any corporation organized pursuant to the Reconstruction Finance Corporation Act (47 Stat. 5), as amended, and the Smaller War Plants Corporation.

"Sec. 602. There are authorized to be appropriated such sums as may be necessary or appropriate to carry out the purposes and provisions of this Act.

"Sec. 603. The provisions of this Act shall terminate on June 30, 1947.

"Sec. 604. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

"Sec. 605. (a) When the Director first appointed under section 101 has taken office, the Office of War Mobilization established by Executive Order Numbered 9347, dated May 27, 1943, not including the Surplus War Property Administration or the Retraining and Reemployment Administration, shall cease to exist; and such records and property of the Office of War Mobilization, and such unexpended balances of appropriations or other funds available for its use, as the President shall determine, shall be transferred to the Office of War Mobilization and Reconversion.

"(b) When a majority of the members of the Surplus Property Board first appointed under the Surplus Property Act of 1944 have taken office, the Surplus War Property Administration created by Executive Order Numbered 9425 shall cease to exist; and such records and office equipment of the Surplus War Property Administration, and such unexpended balances of appropriations or other

funds available for its use, as the President shall determine, shall be transferred to the Surplus Property Board.

"(c) When the Retraining and Reemployment Administrator first appointed under section 301 has taken office, the Retraining and Reemployment Administration created by Executive Order Numbered 9427, shall cease to exist; and such records and property of the Administration created by such Executive order, and such unexpended balances of appropriations or other funds available for its use, as the President shall determine, shall be transferred to the Retraining and Reemployment Administration established by this Act.

"Sec. 606. All orders, policies, procedures, or directives prescribed by the Director of War Mobilization, in effect upon the effective date of this Act, and not inconsistent with this Act, shall remain in full force and effect unless and until superseded by the Director in accordance with this Act, or by operation of law.

"Sec. 607. This Act may be cited as the 'War Mobilization and Reconversion Act of 1944'." And the House agree to the same.

WALTER F. GEORGE,  
DAVID I. WALSH,  
ALBEN W. BARKLEY,  
A. H. VANDENBERG,  
ROBERT TAFT,

*Managers on the part of the Senate.*

R. L. DOUGHTON,  
JERE COOPER,  
WESLEY E. DISNEY,  
JOHN D. DINGELL,  
HAROLD KNUTSON,  
DANIEL A. REED,  
ROY O. WOODRUFF,

*Managers on the part of the House.*

Mr. GEORGE. Mr. President, I send to the desk, and ask to have read, a statement on the part of the Senate conferees, which will explain precisely the effect of the conference report.

The VICE PRESIDENT. Without objection, the statement will be read.

The Chief Clerk read as follows:

SEPTEMBER 19, 1944.

#### STATEMENT OF THE CONFEREES ON THE PART OF THE SENATE

The committee of conference on the disagreeing votes of the two Houses to the bill (S. 2051) to amend the Social Security Act, as amended, to provide a national program for war mobilization and reconversion, and for other purposes, reached satisfactory agreement on all differences between the two Houses except as to two points.

The House struck from the bill as it passed the Senate section 303 providing transportation for migratory war workers and section 403 providing unemployment compensation for Federal employees. We insisted upon the retention of these two provisions in the bill and upon failure to secure an agreement on this basis insisted upon the question being passed upon by the House.

The House having voted to insist upon its disagreement, we were confronted with two alternatives—to accept the provisions of the bill upon which there was agreement, or have no bill at all.

Title I of the bill sets up an Office of War Mobilization and Reconversion to coordinate all of the activities of the various agencies dealing with these problems. It is believed that such an office is vitally necessary to the orderly reconversion from war to peace.

Title II prescribes sound policies to be followed by the Office of War Mobilization and Reconversion in the transition from war to peace.

Title III provides for the coordination of the activities of all agencies dealing with employment and vocational training.

Title IV provides for a revolving loan fund to guarantee the solvency of all of the State unemployment compensation funds.

Title V provides for advances to States and their political subdivisions for architectural and engineering fees for the planning of public works.

Feeling that it is vital that titles I and II be enacted and that the other titles are very desirable, we reluctantly receded from the Senate position.

We deplore the fact that it was not possible, in this bill, to care for these two highly desirable steps in the program for human demobilization but call attention to the fact that the way is still open to enact these two provisions by separate legislation.

WALTER F. GEORGE,  
ALBEN W. BARKLEY,  
DAVID I. WALSH,  
A. H. VANDENBERG,  
ROBERT A. TAFT,

*Managers on the part of the Senate.*

Mr. GEORGE. Mr. President, it will be seen from this statement, which is signed by all the conferees on the part of the Senate, in the nature of a report from the conferees to the Senate, that the two principal features of the bill on which the House disagreed, and on which the House took separate record votes yesterday, one relating to the transportation costs of workers engaged in war work, and the other relating to unemployment compensation for civilian Government employees, were finally eliminated in order that we might inaugurate the general program recommended by various committees of the Congress, but especially by the Senate Special Committee on Post-war Economic Policy and Planning, as early as November last year, and subsequently expanded in a report filed with the Senate even before the publication of the report known as the Baruch-Hancock report.

The general program set up in the bill as it comes from conference, with respect to the over-all central agency, is in substantial accord with the recommendations made by the Senate Special Committee on Post-war Economic Policy and Planning, and by Mr. Baruch in his more comprehensive report dealing with post-war problems and problems of reconversion from war to peace.

The conferees concluded that it was necessary to have this over-all agency set up in order that there might be merged into the central agency the Administrator of Contract Termination and Settlement, Plant Clearance, and such administrative agency as is provided in the conference report presently to be presented to the Senate, on disposal of surplus property and plants.

As this statement has emphasized, the Senate conferees most reluctantly agreed to recede from the position of the Senate with respect to the transportation of workers from the war areas of the country back to their homes, or to places where suitable job opportunities exist. Especially were we reluctant to recede from the Senate's position on unemployment compensation for civilian Federal workers. It is true, of course, that by separate legislation these and other phases of human demobilization in the period of transition back to peace may be dealt with; but we regret very much that we were compelled to eliminate from this bill

the provisions to which I have particularly referred, and which are referred to in the report filed by all the conferees on the part of the Senate.

We do not indicate that we have abandoned the conviction that the Federal civilian employees should be cared for, that is, should be afforded unemployment compensation benefits, as the Senate originally decided, at the State levels and on the same conditions as the unemployment benefits for workers in covered employment in private industry. We believe that this was an eminently just provision; moreover, we are thoroughly convinced that it is in the interest of general economy. Actually the savings to the Government would be greater under some reasonable and adequate unemployment compensation system for Federal workers than if no such provision were made. The tendency undoubtedly will be—and it is a very understandable tendency—that the Federal authorities and agencies will be disposed to retain in their employ workers who have gone to work for the Government during the war period and who have been taken in on a temporary basis. The disposition to retain such workers will cost fully as much as, if not more than, the total cost of unemployment-compensation benefits at State levels and upon the same conditions as fixed for employers in covered industries within the States.

However, we were unable to persuade the House conferees to accept this view; and after insisting that the House conferees take the matter back to the House for a separate vote upon these two provisions, and the House having taken a separate record vote and instructed its conferees to insist upon the amendments made by the House, we most reluctantly eliminated these controversial provisions from the bill in order to set up the general over-all central authority essential for the guidance and direction of all the agencies of government which will be responsible for the important job of reconversion to peacetime conditions, as we approach the end of the war, and after the end of actual hostilities.

Mr. President, I believe that is all I have to say upon the subject at this time, except to call attention to the fact that the Senate receded because of the unyielding position taken by the House to one or two other provisions which were contained in the original Senate bill. One of them was with respect to a Board of Appeals to pass upon the question of priorities to small industries in the disposition of surplus war properties. That, however, was in part covered by a provision inserted by the House which gives to the Smaller War Plants Corporation a substantial recognition in requiring full consideration for the small business interests of the country in the distribution or disposal of surplus war materials. Another provision to which we most reluctantly acceded, and without requiring the House to take a separate vote on it—because the House had already voted upon it—was the provision for training or retraining for able-bodied workers; that is to say, workers who suffered no physical or mental defects and workers

who were not in the categories of members of the armed forces. Of course, training or retraining is provided for all the men and women in the armed services, and there is also reasonable provision for State and Federal vocational training or retraining for the physically and mentally handicapped. But there is no provision in our law as it stands today, since we were compelled to eliminate the provision from the Senate bill in order to reach an agreement, for training of the able-bodied worker so as to fit him for some new type of work which may be available to him in peacetimes.

Mr. President, I have no disposition further to expand my statement. I anticipate that individual members of the conference committee will desire to make statements with respect to the provision for transportation of workers and also relative to unemployment compensation for civilian Federal employees.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). The question is, Shall the Senate proceed to the consideration of the report of the committee of conference on Senate bill 2051? Is there objection?

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2051) to amend the Social Security Act, as amended, to provide a national program for war mobilization and reconversion, and for other purposes.

Mr. VANDENBERG. Mr. President, I should be less than frank with my colleagues if I did not state my personal view that this conference report in two particulars is substantially unsatisfactory. I say this with greatest respect for the earnestness and good faith of the House and its conferees. The fact remains, as indicated by the able senior Senator from Georgia [Mr. GEORGE] that in the final analysis the Senate conferees had no alternative, after the House voted by roll call yesterday, except to yield upon the two questions of travel allowances and unemployment compensation for Federal employees. We had no alternative except to yield, unless we were willing to sacrifice the essential legislation in titles I and II, which represent the creation of the over-all reconversion authority, which is the key to the entire, indispensable reconversion formula which Congress is undertaking to establish.

It was our united view, my own included, that we have no right to withhold our consent to titles I and II simply because of our very great disappointment that the House persisted in its hostility to the Senate's position in respect to unemployment insurance for Federal employees and travel allowances for migratory workers.

Mr. President, the direct human element in reconversion is not covered in this conference report. I repeat that it is a matter of regret to me and to all the other Senate conferees. However, it is a fact that we have saved a great, fundamental thing in respect to the human element which is the Federal guaranty

of the solvency of all the State unemployment funds.

I wish particularly to emphasize the final sentence in the statement formally presented by the conferees. The two controversial subjects to which I have referred and to which the Senator from Georgia has referred are by no means dead because of this action. They are not dead so far as I am concerned, at any rate; and at the first opportunity I shall join in undertaking their resurrection.

\* Under the circumstances I say that the Senate conferees, after 2 weeks of uncompromising resistance to the attitude of the House, were finally forced into a position, by the roll-call votes in the House on yesterday, where we had to sacrifice the creation of the over-all reconversion authority or else yield to the view of the House in respect to these two propositions. That is the sole reason why we yielded.

Mr. BARKLEY. Mr. President, having been one of the Senate conferees, I wish to make a very brief statement regarding my own personal attitude toward this proposed legislation. I am sure the Senate will recall that when the original measure was before this body I voted against the substitution of the George amendment which had been offered to the Murray-Kilgore bill, which in substance was the original George bill as reported by the Committee on Finance. When the bill was under consideration in the Finance Committee, I stated then that, in my judgment, the proposed legislation was not satisfactory and not adequate. I have not yet been able to reconcile myself to the selection of Government employees in civil employment under the Government for unemployment compensation, while leaving out the vast number of civilian employees who have been working in war plants, which activity has been, of course, as everyone knows, as essential as any other on the part of our people. We all hope there will be no great unemployment after the war ends. I believe that if business, agriculture, labor, the Government, and all other elements of our people work together and in cooperation in the reconversion and post-war period there need not be any great unemployment. It is my belief that while we may not be able to maintain our national income at its present level we can maintain it at a level which will guarantee employment to all those who are willing and able to work, at remunerative wages, under conditions which will be reasonably satisfactory.

Not only is there a great background of need in our own country for articles which we have been doing without for the past 4 or 5 years but, in view of the destruction which has taken place in all the occupied countries of the world, there will no doubt be a great demand upon our inventive genius and our mechanized industries to supply a large portion of the articles which the world will need. I believe that all this will mean a high level of national income, a high level of prosperity, and a high level of wages and employment. It certainly is the duty of all elements of our people

to work to that end. Yet there are those who believe that such a view is a little too optimistic. I am one of those who believe that, regardless of the result of such optimism and cooperative effort, we should be as well prepared for peace when it comes as it is possible to be prepared, and better prepared, for it than we have ever been for any war in which our Nation has engaged.

While I hope there will be no need for a great amount of unemployment compensation because of a high level of unemployment, I believe it is our duty to be prepared for it if it should unfortunately come. In preparing for it I cannot visualize any justice in segregating only Government employees and providing for them without at the same time providing for the body of war workers generally, many of whom have been uprooted from their homes. They were not uprooted by any compulsion of the Government, but certainly under its persuasion and under an impulse to do their duty. That was especially true on the part of those unable to serve in our military and naval forces.

In this limited bill, which, as I have indicated, was inadequate, in my judgment, because it did not provide for others beside Government employees, we held out for the Senate provision, namely travel pay, and we finally reduced it to the irreducible minimum in our suggestions in the conference with respect to unemployment compensation provided for civilian employees of the Government.

The House had not had a record vote on the matter. Under its rules, as we all know, in the Committee of the Whole there is no way to obtain a record vote. The only way for the Members of the House to obtain a record vote is to do so after they come out of a meeting of the Committee of the Whole. Any amendments adopted in the Committee can then receive a record vote if a sufficient number of Representatives demand it, or upon a motion to recommend. Neither of those courses was pursued in the House, so no record vote was taken there upon the subject. The House struck out entirely the provisions to which I have referred, and made no substitution. Yesterday there was a record vote. On that vote it was shown that the sentiment in the House in favor of unemployment compensation for civilian Government employees had increased considerably since the teller vote, or standing vote which had been taken in the Committee of the Whole in the House. So a great deal of progress had been made toward House concurrence in the provisions of the Senate bill. But, be that as it may, the House went on record in opposition, fortifying the adamant position of the House conferees, who had stood out during the 2 weeks of conference against the provision in any form.

As the Senator from Georgia [Mr. GEORGE] and the Senator from Michigan [Mr. VANDENBERG] have said, the Senate conferees all realized that we had either to yield or have no legislation.

It seems to me that we cannot afford to defeat the legislation so far as we have been able to agree. Not only can we deal with other subjects in separate legislation but, in my judgment, we must deal with them. The House takes the position that any amendment to the Social Security Act which involves any additional coverage by taxes, or any change in the tax rate on the subject of social security, must originate in the House. We are not in a position to dispute that constitutional requirement. The bill which we passed in the Senate did not involve any taxation, or additional coverage by taxes, and therefore it did not contravene the constitutional provision.

Yesterday in the House the chairman of the Ways and Means Committee asserted that it was the intention of the committee, I believe immediately after election when all Members shall have returned, to take up the question, hold hearings, and deal with the matter in a broad and comprehensive way. I have no doubt of the good faith of the chairman and other members of the committee in the assertion which the chairman made.

As a Member of the Senate, I wish to say, for whatever it may be worth, that we cannot afford, as a legislative body, to give even the impression that we are contenting ourselves with taking care of the physical reconversion of our country as a result of the war, and abandoning or showing a lack of interest, or showing even a lukewarm interest, in the human problems which must arise out of the question of reconversion and the question of migration. Congress never enacted a law authorizing or empowering the Government to reach its arms into any community, take men and women out of the community, and transport them elsewhere in order to engage in war work. We have relied on the voluntary method. That method has succeeded. It has succeeded almost beyond what our dreams were when the war began.

While there was no compulsion, there was a patriotic persuasion on the part of the Government and our people, and it was recognized and accepted accordingly. Hundreds of thousands, if not millions, of our people moved their families away from their lifetime homes and went into strange communities. They found living conditions which made them not altogether happy. But they moved into those communities because of a patriotic motive, although there are those who claim that they did it only because they were to receive higher wages than they had been receiving where they were living. There is no doubt that in many instances they did receive higher wages, but I think there was just as much of a patriotic urge upon the part of those men and women to do their duty, even at a sacrifice, as there was on the part of any other group of people during the war. Therefore I felt, and I still feel, that in cases which we undertook to delineate in our suggestion, a reasonable amount of transportation from where those people are now living back to their homes, or to some other place where they may obtain employment, would not be out of place.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AIKEN. What will happen if the Senate refuses to recede from its position? What will happen if we have no new legislation upon the subject for the next 2 or 3 months?

Mr. BARKLEY. There will be no over-all set-up for physical reconversion of plants, as the bill in titles I and II provides. The consideration of the entire subject will, in all likelihood, have to be postponed until a later date. Personally, I do not believe that even the human element would gain by such a postponement. I believe that when we concentrate our attention upon that phase of the subject it will be entirely possible to do a better job than was done in the proposed legislation.

Mr. AIKEN. Does the Senator believe that we should accept this bill, which we all know is not full and adequate, but which is as far as the House will go, rather than refuse to recede from the position of the Senate?

Mr. BARKLEY. That is my position. We cannot, in my judgment, afford to abandon the legislation, and, therefore, we ought to adopt the conference report, which will get out of the way these two titles which are a part of the legislation, clean them up, and then when we come back, or at the earliest possible date, take up the other phases of the matter in either House where it can be most appropriately done and legislate upon it as promptly as possible.

Mr. AIKEN. If we cannot get consideration for human beings now but we can get consideration for property reconversion, is there any reason to believe that we will get any greater consideration for the human element 2 or 3 or 4 months from now?

Mr. BARKLEY. I think so, for the reason that the House conferees and the House Ways and Means Committee and the House itself feel that this subject ought to be dealt with in a proper way by an amendment to the Social Security Act itself, by broadening the base, and by increasing the number that will be covered by it; and they have given every assurance that they will take that up and deal with it. There is a constitutional restraint upon our action here, if there is involved any tax feature or taking into the system men and women who are not now in it upon whom there would have to be a tax levied.

Mr. AIKEN. The Senator may be right about that and probably is, but it seems to me when we are talking about preservation of fundamentals that there is nothing more fundamental to the welfare of the country than the welfare of the human beings who make up its population.

Mr. BARKLEY. I agree with that.

Mr. AIKEN. I know I cannot do anything about it.

Mr. BARKLEY. The Senator knows what my view about this legislation has been all along, but we cannot always get at any one time all we want, and so we have to take what we can get, and press with more determination at an appro-

priate time to get what we want to get by means of legislation.

Mr. AIKEN. It seems rather peculiar that men can work day and night over property and dollars and cents, but cannot give consideration to human beings.

Mr. BARKLEY. That does seem peculiar, but there are many types of peculiar people, and some of them find their way into legislative halls.

Mr. TAFT. Mr. President, as one of the conferees, I wish to say that I also regret that the Senate has had to recede on these two amendments. Of course, we must recognize the fact, however, that they are separate pieces of legislation, and that, under the Constitution, legislation cannot be enacted unless both Houses agree to it.

On the general question, I think we should approve the conference report, because, after all, the question of demobilization of the human element is primarily a question of administration, and we do here set up a proper organization of administration to deal with it and that organization will have 90 percent, perhaps, of the powers it ought to have. We think it ought to have some additional powers, but, nevertheless, after all, in dealing with the human element the chief consideration is to get people jobs and the getting of jobs involves the stimulation of industry to go to work. The question of taking care of people if they do not get jobs is also important, but what the human element wants is jobs, not unemployment compensation when they do not work.

As the Senator says, I think we will have time to deal with the unemployment compensation before we reach the period at which there will be any serious difficulty. Both parties have agreed that unemployment compensation shall be extended to agricultural workers, to employers of one or more instead of eight or more, and to domestic servants as well as those who are already covered. That is an extensive program. I see no reason why the Federal employees cannot be dealt with at the same time.

So far as travel pay is concerned, I believe personally that, if there is any difficulty whatever with employment, we will have that problem put to us very shortly, and that it will have to be met directly. I think it can be met, however, when the emergency arises.

So I believe the Senate should adopt the report, set the machinery in motion, create an organization that can come back to us and tell us what additional powers they think should be added to their powers, in order to deal both with the human element and the business element. I think in that way we will make far more progress than if we delay this whole matter for several months, and then have to do the entire job over again. So, I trust the report will be agreed to.

Mr. WALSH of Massachusetts. Mr. President, my colleagues who represented the Senate on the conference committee on this bill have so fully and so adequately explained my own position that there is no need to amplify what they have already said.

It was with great reluctance and only after long discussion and record vote

taken by the House of Representatives that the Senate conferees agreed to the conference report which has now been submitted to the Senate. We did it, as I have said, reluctantly because we were unanimously of the opinion that the situation in this country today and the situation that is likely to develop as the war approaches an end necessitated something being done to pay at least the traveling expenses of war workers who are stranded in different sections of the country, and also to extend unemployment compensation to war workers in the Federal service.

It has been impossible for us to persuade the conferees of the House that this legislation is war legislation and that the situation we were seeking to relieve was the result of the war. It would be unthinkable to pass these two provisions if we were not at war; no one would conceive of it being done; but in the exigencies of the war situation, and in view of the upset that has taken place by reason of employment opportunities being scattered all over the country and workers being sent far away from their homes it seemed to us but fair and just that these two provisions should have been retained in the bill. As indicated, however, in view of the action of the House yesterday in rejecting our provisions, we have now no choice except to ask the Senate to accept the conference report.

I am pleased because it expresses our unanimous judgment, that the chairman has seen fit to have put in the RECORD the joint statement made by the Senate conferees expressing their views with respect to this legislation and respecting their purpose and intent to continue agitation to obtain the relief that has been denied by the elimination of these two provisions.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). The question is on agreeing to the conference report.

The report was agreed to.

#### PROPOSED EQUAL RIGHTS CONSTITUTIONAL AMENDMENT—ARTICLE FROM NEW YORK HERALD TRIBUNE

Mr. BARKLEY. Mr. President, I regret to have to call the attention of the Senate to a very erroneous and I think unfair article in yesterday morning's issue of the New York Herald Tribune, a newspaper with which I frequently disagree but for whose journalistic integrity I have always had the greatest respect. I shall read the article in order that the Senate may know its import. It is an article written by the Washington bureau of the Herald Tribune. The headline reads:

Ferguson says P. A. C. bars vote on equal rights—Asserts Democratic chiefs in Senate bow to flood of C. I. O. pressure mail.

The article proceeds:

WASHINGTON, September 17.—The Democratic leadership of the Senate stood charged today by Republican Members of bowing to the Congress of Industrial Organizations Political Action Committee in sidetracking consideration of the equal rights for women constitutional amendment last week.

Union opposition to the amendment, which had been scheduled for Senate consideration last week, is based on the contention of the

Women's Trade Union League that it will end legal restrictions on hours, pay, and other conditions of employment necessary to protect the health and prevent exploitation of women.

Senator GUY M. GILLETTE, Democrat, of Iowa, told the Senate he was postponing consideration of the amendment because many interested Members were away from Washington, and objected to any action until they could be on hand for debate.

Charging flatly that the C. I. O. instead of congressional absenteeism is responsible for the delay, Senator HOMER FERGUSON, Republican, of Michigan, disclosed that pressure mail is being received by Senators taking the union line on the amendment.

Now quoting the junior Senator from Michigan [Mr. FERGUSON]:

"The majority is afraid to bring it up because of the flood of C. I. O. telegrams and letters," Senator FERGUSON declared.

Both the Republican and Democratic platforms contain endorsements of the equal rights for women idea, but Senator FERGUSON continued—

Now quoting him:

"It just shows how they (the Democrats) are going to live up to their party platform. This was a good opportunity for them to show how the whole party could line up behind a good plank, but they've muffed it."

That ends the quotation from the Senator from Michigan. The article continues:

The Democratic leadership, according to one report, sought out Sidney Hillman, P. A. C. chairman, during the week and protested against the C. I. O. pressure to defeat the equal rights bill, but were told by Mr. Hillman that if there was any such campaign, he was unaware of it.

The amendment is backed by the National Women's party, which contends that protective laws for women make job-hunting more difficult and deprive women of their full rights as citizens.

Mr. President, I do not know whether the Senator from Michigan was correctly quoted in what is attributed to him, but there is scarcely a truthful sentence in the entire article quoted from the New York Herald Tribune. I suppose that when the Senator from Michigan referred to the Senate leadership he might have had in mind that I had something to do with the matter, for, at least, I occupy a modest place in that category, but the imputation that either I or any one else connected with the majority of the Senate may have been intimidated, influenced, persuaded, or otherwise controlled, in our action with respect to this matter, is without the slightest foundation in fact.

I have not seen Mr. Sidney Hillman anywhere, at any time, on any subject, I should say, for at least a year. I do not know when I last saw him on any subject. He has not visited me, he has not sought me out, on any subject. So far as I know, no letter or telegram has come from him to me on the subject of the equal-rights amendment since it has been under consideration. I do not even know the attitude of the C. I. O., the P. A. C., or any other organization of that sort, in regard to that amendment, except that a few days ago I did receive a copy of Labor, which is a weekly journal published by the railway brotherhoods of the United States, in which it ex-

pressed itself in opposition to the equal-rights amendment.

I also saw in the newspaper sometime ago a statement, I think attributed to Mr. William Green, president of the American Federation of Labor, in which he opposed the amendment, for reasons which were given. But neither Mr. Green, Mr. Hillman, Mr. Murray, nor anyone else, has approached me with respect to when this matter should be taken up, or whether it should be taken up at all.

I desire, of course, to deal fairly with my colleagues in the Senate, and I shall do so, and I think I have a right to expect the same sort of fairness on their part toward me.

When I was at home, about a month ago, on account of the very serious illness of my wife, I was called up over long-distance telephone from nearly all over the United States, by persons interested in this amendment, stating that it was up to me to determine whether the amendment should be voted upon immediately after Labor Day. They had fixed that as a time when they wanted a vote. I also received a number of telegrams to the same effect.

I replied to all those interested that it was not within my province to determine when an amendment to the Constitution of the United States should be voted upon, that the joint resolution proposing the amendment had been reported by the Committee on the Judiciary sometime ago, that no one had ever asked that it be taken up, that no one had come to me, from either side of this Chamber, and asked that it be taken up. The committee made no move to take it up. It seems that at the two political conventions planks were inserted in the platforms endorsing the equal-rights amendment. Following that the good ladies and others who were interested in the amendment—and I pay due tribute to their sincerity—felt that it would be an excellent idea to have a vote now, both parties having declared in favor of the amendment, and they wanted a vote taken right after Labor Day.

I told them that when I returned to Washington I would confer with Members of the Senate, including the majority leader, the Senator from Maine [Mr. WHITEL], and other Senators on the minority side, that I would confer with members of the Committee on the Judiciary, which reported the joint resolution, that I would confer with the Senator from Iowa [Mr. GILLETTE], the author of the joint resolution, to determine when it would be best to take it up and vote upon it. I explained that in all likelihood we would have difficulty in maintaining a quorum of the Senate after the reconversion and surplus-property measures had been disposed of, that the House had already agreed, on both sides, to consider no further legislation of any kind after the conference reports on the reconversion and surplus-property bills had been disposed of, and that intention on their part has been reiterated to me time and time again since the Congress returned to Washington.

After conferring with Members of the Senate on both sides of the Chamber,

taking into consideration the difficulty of keeping a quorum here, not only now and up to now, but the even greater difficulty after these conference reports have been disposed of and the emergency legislation has been gotten out of the way, it seemed to me, and it seemed to all those with whom I conferred, without exception, on both sides of the Chamber, that it might be unfortunate to attempt to force the joint resolution before the Senate with a bare majority of the Senate present.

Amending the Constitution of the United States is an important procedure. The Constitution provides that an amendment must in the first place be submitted by a two-thirds vote. Two thirds of 49, which is a bare majority, would be 33. If 49 Senators were voting, it would require 33 to pass the joint resolution. If, of the 49 Senators, 17 voted against the measure, it would not receive the required majority. I have explained, and I feel now that the amendment, when submitted, ought to go before the country with a substantial backing, not of a bare two-thirds of a bare majority, but a two-thirds vote of a substantial attendance of the Senate and of the House also when the joint resolution is acted on. Thirty-three voting for it out of 49 would be only 1 more than one-third of the Senate, and I have assumed, and I now assume, that those interested in the joint resolution want it to pass, and want the amendment to be ratified by the required number of States.

One day last week I was handed a letter which I shall read in a moment, and also read my reply. A couple of charming ladies called me from the Senate Chamber and handed me this letter signed by representatives of a number of organizations. I tried to explain our predicament here, and said that if we took up this joint resolution with only a bare majority of Senators present it might be defeated, because there is opposition to the joint resolution. One of the ladies replied that she did not mind it being defeated. I said, "I thought you wanted it passed. I did not know that you simply wanted to get a vote on it in order to have it defeated."

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. SHIPSTEAD. I wish to endorse what the Senator from Kentucky has said about the importance of the proposed legislation. It has such widespread possibilities and ramifications that it seems to me it should be debated thoroughly before being taken up for final decision by the Senate.

Mr. BARKLEY. Mr. President, judging from expressions I have heard in my conference with Senators, the measure will be debated. At what length, I do not know, but undoubtedly it will be debated.

The letter which was handed to me one day last week is very brief, and I shall read it:

DEAR SENATOR BARKLEY: The undersigned organizations urge you to use your great influence as leader of the majority to pass

the equal-rights amendment through the Senate, and fulfill the promises made by the Democratic Party in their national platform.

I take it for granted that the Senator from Maine [Mr. WHITE] received a similar letter referring to the plank in the Republican platform, and urging him to use his great influence as minority leader to obtain action upon the measure and have it adopted because I have a copy of his reply to one of the ladies who signed the letter to me. The Senator's reply reads as follows:

This will acknowledge the communication of September 15 signed by you and others urging the passage of the equal-rights amendment before recess. It is my understanding that the Senate majority has determined to postpone action on this matter until after the election. I think the matter will be taken up and disposed of when Congress reconvenes following the election.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Maine.

Mr. WHITE. I regret if anything I have said or anything I have written should disturb in any respect the serenity of the Senator's disposition or the sweetness of his temper.

Mr. BARKLEY. Mr. President, I hope I have shown no indication that either the sweetness of my temper or the serenity of my disposition has been disturbed.

Mr. WHITE. The Senator has not. I think the Senator preserves those admirable qualities under almost every conceivable condition and in spite of great—

Mr. BARKLEY. But I have frequently great provocation to do otherwise.

Mr. WHITE. In spite of great provocation.

May I say a word more?

Mr. BARKLEY. Yes.

Mr. WHITE. I think I am within the bounds of truth when I say that the decision to postpone this matter was the decision of the majority. I would not want to admit that the Senator from Kentucky, the majority leader, is not the leader of the majority of this body. I think membership upon that side of the aisle is the majority of this body, and I have always believed that a majority had not only rights, had not only power, but had responsibilities, and until next January 20, or thereabouts, in any event—

Mr. BARKLEY. At least.

Mr. WHITE. Or thereabouts, I hope—

Mr. BARKLEY. The Senator simply hopes.

Mr. WHITE. I hope the majority will meet its responsibilities. I think I did say on a number of occasions that the majority reached this decision. I do not mind adding now publicly that that decision of the majority had my complete concurrence. I agreed fully with the sentiments expressed by the Senator from Iowa [Mr. GILLETTE] when he announced that he would not pursue the matter at this time, and I say that the decision not to take it up was wholly justified, and that I concurred, so far as I had any voice or any authority in the matter, in that decision.

Mr. BARKLEY. The Senator may have used the word "majority" in his reply to the letter as indicating a political or partisan majority. I recognize the responsibility of the party in power in the Senate to assume the responsibility for legislation, and I have never, I think, shunned that responsibility so far as I am concerned, and I do not shun it now. I have never called any conference of the steering committee to decide upon the question, because I did not regard it and I do not now regard it as a partisan matter, and when the Democratic steering committee is called together to decide on whether legislation should come up it frequently is regarded as a political or partisan decision. After conferring with Members of the Senate on both sides I expressed the views that I am going to read now in my reply to the letter which I received the other day from these organizations. Of course any Senator on the floor of the Senate, whether he be Democrat or Republican, any time he can obtain recognition can move that the Senate proceed to the consideration of any measure in which he is interested. Everyone knows that, and it is frequently done. I think I ought to say that there is not a Senator in this Chamber, on either the Democratic or the Republican side, who has either urged or requested or suggested to me that we ought to attempt to vote on this matter at this particular time, in view of the legislative situation.

Mr. WHITE. Mr. President, will the Senator yield again?

Mr. BARKLEY. I yield.

Mr. WHITE. I may add to what I have already said that in many letters and on numerous occasions I have said to these good ladies that I thought it of very doubtful wisdom to try to act upon the joint resolution before election, and that action on it should be deferred.

Mr. BARKLEY. Mr. President, the letter to which I referred a moment ago was signed by Mrs. Harvey W. Wiley, chairman of the department on legislation of the General Federation of Women's Clubs; the National Woman's Party, by Miss Alice Paul, national chairman; the National Federation of Business and Professional Women's Clubs, signed by Margaret A. Hickey, president; and a number of other organizations, all of which I shall place in the RECORD at this point.

Mr. President, I ask unanimous consent that the list may be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Women's Joint Legislative Committee for Equal Rights, Alva Belmont House, Capitol Hill, Washington, D. C., telephone ATLantic 1210; General Federation of Women's Clubs, Mrs. Harvey W. Wiley, chairman, department on legislation; National Woman's Party, Alice Paul, national chairman; National Federation of Business and Professional Women's Clubs, Margaret A. Hickey, president; St. Joan Society, Dorothy Shipley Granger, chairman; National Association of Colored Women, Mary Church Terrell, past president; American Alliance of Civil Service Women, Mary Hamilton, president; National Association of

Women Lawyers, Ethel Ernest Murrell, fourth vice president; American Medical Women's Association, Alma Jane Speer, M. D., vice chairman, legislative committee; Association of American Women Dentists, Dr. Rosalind Moore Bain; Osteopathic Women's National Association, Dr. Rachel H. Woods, president; National Council of Women Chiropractors, Dr. Gertrude Hinshaw; American Woman's Society of Certified Public Accountants, Grace Schwartz Keats, president; American Society of Women Accountants, Jane E. Good, president; Woman's National Relief Corps, Auxiliary to Grand Army of the Republic, Myrtle L. Burke; Ladies of the Grand Army of the Republic, Mrs. Theo C. Redfern, president; Mary Ball Washington Association of America, Elizabeth Moore; American Federation of Soroptimist Clubs, Lois Sandall, president; Pilot International, Helen Hoffman; Alpha Iota Sorority, Dorothy Matthew Spinks; We, the Mothers, Mobilize for America, Elizabeth Forbes; Mothers and Women of America, Inc., Cecil Norton Broy; Avalon National Poetry Shrine, Elizabeth F. Osgood; Women's Auxiliary to the National Chiropractic Association, Mrs. A. W. Schwietert.

Katharine A. Norris, convener.

Mr. BARKLEY. Mr. President, I undertook to send an identical reply to all these organizations, and I shall read the one which I addressed to Mrs. Harvey W. Wiley, chairman of the Federation of Women's Clubs. The letter is dated September 16. The letter to which it is a reply was dated September 15, the same day on which the Senator from Maine [Mr. WHITE] received a similar letter. My letter is as follows:

SEPTEMBER 16, 1944.

Mrs. HARVEY W. WILEY,  
Chairman, General Federation of Women's Clubs, Alvo Belmont House,  
Washington, D. C.

MY DEAR MRS. WILEY: I was handed on yesterday at the Senate Chamber, a letter sent to me by you and other members of women's organizations, with reference to the possibility of a vote on the equal-rights amendment.

While I was at home in Kentucky, 3 or 4 weeks ago, on account of the serious illness of my wife, I received many calls from persons interested in this amendment, urging that a vote be had immediately after Labor Day.

I stated that I was not in a position, without consulting Members of the Senate on both sides, and without consulting Senator GILLETTE, author of the resolution, to determine when it would be advisable to attempt to take action on the resolution, but that I would consult Senators on both sides and Senator GILLETTE as soon as I returned to Washington.

I have consulted the Members and I find that there is a doubt in most of their minds as to the wisdom of bringing the resolution up at this time. This attitude is without regard to the position of the Senators on the resolution itself.

It is extremely difficult to maintain a quorum in the Senate. To many of the Senators it seems unfortunate, if not unwise, to bring up an amendment to the Constitution, requiring a two-thirds vote, with practically one-half of the Senators absent. Senator GILLETTE apparently shares this view as indicated in his remarks on the floor of the Senate a few days ago. There is a general feeling in the Senate that in passing an amendment to the Constitution there ought to be as full attendance as possible in order that a vote may be regarded as significant of public sentiment. We have had great difficulty in getting a bare quorum in the Senate, and keeping that quorum for a few days after obtaining it. It seems un-

likely that we will be able to maintain a quorum for any purpose after the report is completed by the conferees on the reconversion and surplus property measures. Under these circumstances there is a question which arises, involving the wisdom of trying to force action on the equal-rights amendment under present conditions.

Personally, I am ready to vote on the resolution at this time, or any time, and I am anxious to bring it up at the earliest possible date. But in view of the considerable opposition which seems to exist to the resolution, I am presenting to you in all frankness the serious question involved—whether it would be wise under present conditions to attempt to bring it up. The situation which I have disclosed and the suggestions I have made appear to me to represent a fairly accurate cross section in the Senate including the members of the Judiciary Committee, who reported the resolution, as well as the author of the resolution itself.

If you desire to comment upon these suggestions which I have made in this letter, I shall be very glad to have the benefit of them.

Cordially and sincerely yours.

I have received no further communication in reply to this letter, although I am informed by my office that this morning, while I was in the conference on the reconversion bill, a delegation of ladies came to my office to see me about the matter.

I regret the necessity of taking up the time of the Senate in discussing a matter which involves me. I am not in any way attempting to shun any responsibility. I have expressed my views on the subject. I believe they are the views of the Senate. I believe I can say this: As soon as it is possible for a vote to be had on the joint resolution, under circumstances which will represent the views of the Senate by a two-thirds majority, when there is a sufficient attendance of Senators really to represent the Senate and to give the amendment the kind of send-off which I presume its supporters would like to have when it is submitted to the States, I shall cooperate with the Senator from Iowa, with the chairman of the Judiciary Committee, and with anyone else, including all these organizations, in undertaking to obtain a vote upon the joint resolution at the earliest possible date.

I do not know that I need say anything further. I am sure that without undue delay, and long before the legislatures meet in the 45 States in which legislatures will meet in January or February of the coming year, or at least early in the year, which will be the earliest possible date upon which any legislature could take action, the United States Senate will have acted in ample time for the House of Representatives to take such action as it may see fit to take.

Mr. O'MAHONEY. Will the Senator yield before he takes his seat?

Mr. BARKLEY. I yield.

Mr. O'MAHONEY. I should like to add a word to the discussion, because it was initiated by a published allegation that the failure of the Senate to act has been due to pressure brought upon Democratic Senators by the C. I. O.

I have always been a supporter of the equal-rights amendment. I have always advocated that it be submitted to the

people of the United States. I believe that now; and I believe it should be submitted without delay.

During the absence of the Senator from Kentucky from the city because of the unfortunate illness of his wife, one day on the floor of the Senate I consulted the minority leader, the distinguished, affable, and always kind Senator from Maine [Mr. WHITE], and asked him what his opinion was with respect to the possibility of bringing the matter up. At that time he stated to me substantially what he has said today during the colloquy with the Senator from Kentucky, namely, that, in his opinion, with such a small proportion of the membership present, a bare quorum, he doubted the advisability of submitting any constitutional amendment to a vote for precisely the reasons which have been stated by the Senator from Kentucky.

I mention that because the Senator from Maine himself has mentioned it. Furthermore, I mention it as an illustration of the fact that, so far as I have been able to determine, the feeling which exists in the Senate has no relation whatsoever to any activities on the part of the C. I. O., the P. A. C., or any other organization. Certainly, so far as I am concerned, no letter, telegram, or oral communication has been received by me or by my office from anyone asking that this joint resolution should not be voted upon.

Mr. BARKLEY. I believe that to be true. There have been expressions here and there by persons who are opposed to the amendment itself on its merits, but I have received no communication from anyone objecting to the submission of the amendment to the States. After all, they are to determine whether the Constitution is to be amended in any such way. What I very seriously object to and what I think I have a right to object to, and what the Senate has a right to object to, is the effort to make some sort of political capital out of the fact that this amendment has not been submitted. Certainly it is not worthy of any Senator, no matter what communications he may have received, to try to impute to other Senators a cowardice on the subject which does not exist.

I am sorry that I was compelled to discuss this matter. I feel sure that the Senator from Michigan, whether he was correctly quoted or not, did not intend to cast any such reflection upon the Senate or upon any Member of the Senate. I have asked him to be present while I made these remarks, so that he might speak for himself.

Mr. FERGUSON. Mr. President, I am sure that what was said was not an attempt to cast any reflection upon the able majority leader. However, I believe that the record should be clear on this particular matter. The quotation from the newspaper of September 18 does not attempt to quote me in connection with the statement of Sidney Hillman. It states:

The Democratic leadership, according to one report, sought out Sidney Hillman, P. A. C. chairman, during the week and protested against the C. I. O. pressure to defeat the equal-rights bill, but were told by Mr.

Hillman that if there were any such campaign he was unaware of it.

I appreciate the attitude of the majority leader and other Senators on the majority side, that when the name of the Democratic Party is connected with that of Mr. Hillman, it is to be regretted so far as they are concerned. Perhaps I should make an explanation of what the record really shows.

It seems significant that the joint resolution providing for a constitutional amendment was approved by both major parties at their conventions, and in effect has become a part of their platforms. The joint resolution was reported to the Senate on May 28, 1943. It was sponsored by the Senator from Iowa [Mr. GILLETTE] and 23 other Senators. When the joint resolution went to the Judiciary Committee 24 Senators were supporting it, and, as I have said, it was reported to the Senate on May 28, 1943. Since that time there have been many calls of the calendar, and many other measures have been acted upon.

On the question as to whether labor is opposed to the proposed constitutional amendment, I should like to cite two telegrams which I have received. They are dated September 6, 1944, and are addressed to me in Washington. I should like to read them into the RECORD. The first one reads as follows:

DETROIT, MICH., September 6, 1944.  
Senator HOMER FERGUSON,  
Washington, D. C.:

In name of 400,000 war workers in Detroit area wish to indicate that we oppose equal-rights amendment which we feel will nullify all protected measures which women in industry now have and which they must continue to have in order to safeguard their well being.

C. PAT QUINN,  
President, Greater Detroit and  
Wayne County Industrial Union  
Council, C. I. O.

The other telegram is from Detroit, Mich., and is addressed to me at the Senate Office Building. It is dated September 6, 1944. Mr. President, it seems significant that I should receive these two telegrams dated the same day. The second telegram reads as follows:

DETROIT, MICH., September 6, 1944.  
Senator FERGUSON, OF MICHIGAN,  
Washington, D. C.:

As representative of 250,000 auto workers I strongly urge that you oppose the proposed equal-rights amendment resolution for women unless this bill specifically guarantees that it will not nullify protective labor legislation.

LEO LAMOTTE,  
Codirector, Region No. 1 7-2-C. I. O. and  
National Chrysler Director, U. A. W.-C. I. O.

So, Mr. President, at the time when consideration of the joint resolution was deferred, not only the majority party but both parties had approved the proposed legislation in their conventions, by making it in effect a part of their platforms; and at the particular time when the measure was coming up, and when the C. I. O. was opposing it, another bill, the road bill, was brought before the Senate. It was voted upon. The Senate has been here for action.

I merely wish to say that the facts are as I have stated. If the majority leader says he has received no mail or no intimation that the C. I. O. wanted this matter postponed or did not want it voted upon or was opposed to it, I accept his statement as absolutely true. I am only quoting from my own mail.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. BARKLEY. I am sure the Senator will say that I could not possibly be influenced by telegrams he received from Michigan.

Mr. FERGUSON. I appreciate that.

Mr. BARKLEY. I never received any such telegrams from Michigan or from my own State or from any other State.

Mr. FERGUSON. I am accepting it as a fact that the Senator has not. The Senator has told me during today's session of the Senate that he has not, and I accept that as a fact.

Mr. BARKLEY. But in the article which has been printed because of what the Senator did say, we are all blanketed into the class of those who have received telegrams and protests on the part of the C. I. O. and the P. A. C., none of which we have received. It seems that the fact that the Senator from Michigan received a couple of telegrams from Detroit, Mich., has caused him to repute to all of us receipt of similar telegrams from the State of Michigan or some other State. I desire to refute any such suggestion, because it is not so.

Mr. FERGUSON. I did not mean to imply that that was the case.

Mr. BARKLEY. I also wish to point out that in the article printed in the New York Herald Tribune it is stated that the leaders have sought out Mr. Hillman.

Mr. FERGUSON. The article does not quote me.

Mr. BARKLEY. No; it does not. But I am denying the accuracy of the whole article, no matter what the source of it may have been.

Mr. Hillman is the head of a well-known organization in this country. In the past he supported Republican candidates, and his support was welcomed with glee and éclat. I have no doubt that if he were now supporting the Republican ticket, we would hear no outcry against him because of his activities or the activities of his organization in politics. I regret that the slightest excuse is taken advantage of to inject Mr. Hillman in some way into the campaign and into the Senate debate, when nothing that he has said or done has anything to do with the action on the matter in question. Even the telegrams received by the Senator from Michigan opposing the equal-rights amendment express no objection to having it taken up. They express opposition to it on its merits, and are not opposed to its consideration by the Senate.

Mr. FERGUSON. Mr. President, the able majority leader, the Senator from Kentucky, says that if Mr. Hillman were now ably espousing the cause of the Republican Party, no one on this side of the aisle would object to such leadership for the Republican Party. Mr. President, the

Senator from Kentucky must speak for himself in that respect, as I have spoken for myself in stating my opinion as to the reason why this measure has not yet been voted upon. But I wish to say on the floor of the Senate that if Sidney Hillman were espousing the cause of the Republican Party, as he is now espousing the cause of the Democratic Party, from this very chair I would denounce such support, on behalf of the Republican Party. The Republican Party does not need the support of Sidney Hillman and those whom he wants to bring into the Democratic Party.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. FERGUSON. Yes; I yield.

Mr. BARKLEY. It has not been so many years since Sidney Hillman, as the head of an organization, contributed \$5,000 to the campaign of the present Republican nominee for President, in his campaign in New York for district attorney. There was no objection at that time to his contribution, although then he was head of the Amalgamated Clothing Workers or Garment Workers of the United States. I am informed that he was even asked for another donation, in addition to the \$5,000.

In politics it frequently depends upon whose ox is gored. I am not saying who the ox is or who is doing the goring. But there was no outcry against that contribution on the part of Mr. Hillman only a few years ago.

Therefore, I congratulate the Senator from Michigan upon his courage and frankness in telling the Senate that if Mr. Hillman were supporting Mr. Dewey in his campaign for President, he would rise in his place in the Senate and would denounce him.

Mr. FERGUSON. Mr. President, I have no personal knowledge as to what Sidney Hillman has contributed by way of campaign funds in the past; but I do know that I have heard the personal testimony of Sidney Hillman before a Senate committee, and I know whose cause he is now espousing.

It has not been officially denied, except by the chairman of the Democratic National Committee, that Mr. Hillman was the man through whom "everything was to be cleared."

Today the Democratic Party do not like to hear those words, and I do not blame them. As I have said today on this floor, if Mr. Hillman were representing the Republican Party or were the mover of the Republican Party, I would be standing here denouncing him, not only denying that everything was to be cleared through him. The Republican Party does not want the aid and support, personally, of Sidney Hillman or those whom he uses in the C. I. O.

Mr. President, the people will have to draw their own conclusions. I have drawn mine. The Senator from Kentucky, the majority leader, has drawn his.

It is apparent, and I have said that I will take his word for it, that so far as he was personally concerned the C. I. O. and the P. A. C. had absolutely nothing to do with it. As a matter of

fact, the majority leader did not adjourn this cause. Several weeks ago the Senator from Iowa rose and said that he would like to have a joint resolution brought up upon the floor. After that I received the telegrams to which I have referred. Subsequently the able Senator from Iowa rose upon the floor and said in effect that so far as he was concerned the proposed constitutional amendment would not be brought up.

Mr. President, we have had other important legislation before us for consideration. I hope the people will be able to have the result of a vote upon this subject at some early date. Not being a member of the majority party, I know that a motion upon my part to bring the matter up at the present time would be of no avail.

Mr. GILLETTE. Mr. President, I do not wish further to take the time of the Senate in order to discuss the question which has been under discussion for the past few minutes. But it seems apparent that a statement upon my part is indicated because of the discussion which has been precipitated here.

It is regrettable that the subject has come before the Senate in the way in which it has arisen. I am ready to plead guilty to an action which apparently precipitated the matter in the first place.

Mr. President, the joint resolution proposing an equal-rights amendment to the Constitution was introduced as a bipartisan measure. If my memory serves me correctly, 16 members of the majority party and 8 members of the minority party joined in its sponsorship. There cannot be the remotest suggestion of party feeling or party interest in connection with the proposal.

After having introduced the measure I subsequently returned to the Senate and perhaps assumed an authority which I did not have. On the day following Labor Day I rose in the Senate and gave notice that it was my hope and purpose that at some time during the following week, if it conformed to the program of the Senate, I would move to proceed to the consideration of the joint resolution. At that time the eminent majority leader was absent from the city. I had not conferred with him, and I had not conferred with the distinguished minority leader or with anyone else. I merely gave notice that it was my hope and purpose to move to proceed to the consideration of the proposal.

Mr. President, of the 24 Members who sponsored the proposed legislation, 13 were absent from the city at the time to which I refer. At the present time I believe that a large number of Senators are absent from the city. But Senators who were out of the city, as well as Senators who were in the city, told me that they had understood that no controversial legislation was to be taken up. They called attention to the inadvisability of proceeding on a matter so important as a proposed constitutional amendment when a bare quorum of the Senate was present, if an actual quorum were even present.

During the following week, in deference to the statements or requests which had been presented to me, I rose and

said that I did not intend that week to move to take up consideration of the measure, but that I hoped that at some time before the approaching recess of the Senate, when a working quorum was present, it would permit the joint resolution to be brought up.

Mr. President, today 49 Senators were announced as being present. When the Senator from Kentucky started to speak, by actual count, 31 Senators were in the Chamber. At the present moment approximately 18 or 19 Senators are present. The prevailing circumstances must give the supporters of an important measure of this kind reason to pause when it comes to the question of taking it up.

Mr. President, at no time has the distinguished majority leader, the distinguished minority leader, or any of the leadership on this side of the Chamber approached me with the suggestion that I postpone calling up the measure, as I had suggested I hoped to do. Neither has anyone representing the C. I. O., the A. F. of L., the Brotherhood of Railway Trainmen, or any other labor group approached me with a suggestion that the matter be postponed, or attempted to influence me in any way.

I have the highest respect for the Senator from Michigan, the Senator from Maine, and the Senator from Kentucky. I know they are proceeding with the utmost sincerity. Whatever blame there may be for failure to call up the joint resolution, as I announced was my intention to do, is mine. I assume responsibility for it. By making such a statement, Mr. President, I do not by any distortion of words mean to say that I am associating myself with the leadership of the minority side of the Senate or with the leadership of the majority side of the Senate. I am here to speak as one who, with my fellow Senators, introduced the joint resolution. The action which was taken was mine. It was not taken at the request of anyone else, and, in closing, I merely say that I am confident that no one else, especially outside the membership of the Senate, would dare to approach me with such a suggestion.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 268) to provide for the reappointment of Haryey N. Dayis and Arthur H. Compton as members of the Board of Regents of the Smithsonian Institution, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 312. An act for the relief of Freda Utley;

H. R. 527. An act for the relief of Mary Hertz;

H. R. 1434. An act for the relief of Anna M. Kohler;

H. R. 1623. An act to amend an act entitled "An act to provide fees to be charged by clerks of the district courts of the United

States," approved February 11, 1925 (43 Stat. 857), as amended (28 U. S. C., secs. 548-555);

H. R. 1680. An act to amend the Nationality Act of 1940 to permit the Commissioner to furnish copies of any part of the records or information therefrom to agencies or officials of a State without charge;

H. R. 1708. An act for the relief of Perley M. Silver;

H. R. 2134. An act for the relief of Paul Szeliga;

H. R. 2387. An act for the relief of John Salfi;

H. R. 2390. An act for the relief of Joseph Scarpella and Dorothy Scarpella;

H. R. 2509. An act for the relief of Marie Engert;

H. R. 2697. An act to provide for the disposal of materials or resources on the public lands of the United States which are under the exclusive jurisdiction of the Secretary of the Interior;

H. R. 2792. An act for the relief of Arvo Kari, Lempi K. Holm, and Burt Johnston;

H. R. 3033. An act for the relief of Tressie Spring and Mrs. Hazel Stutte;

H. R. 3038. An act for the relief of Mrs. Grace Page;

H. R. 3296. An act for the relief of R. Guy Dorsey;

H. R. 3384. An act to authorize the Secretary of the Interior to accept property for the Moores Creek National Military Park, and for other purposes;

H. R. 3464. An act for the relief of Ralph W. Cooley;

H. R. 3496. An act for the relief of Ernest A. Grottko;

H. R. 3722. An act to amend section 342 of the Nationality Act of 1940 in respect to fees for the issuance of certificates of arrival;

H. R. 4257. An act to expatriate or exclude certain persons for evading military and naval service;

H. R. 4271. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; and

H. R. 5025. An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War No. 2.

#### DISPOSAL OF GOVERNMENT SURPLUS PROPERTY—CONFERENCE REPORT

Mr. JOHNSON of Colorado submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5125) to provide for the disposal of surplus Government property and plants, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Surplus Property Act of 1944.'"

#### "OBJECTIVES

"Sec. 2. The Congress hereby declares that the objectives of this Act are to facilitate and regulate the orderly disposal of surplus property so as—

"(a) to assure the most effective use of such property for war purposes and the common defense;

"(b) to give maximum aid in the reestablishment of a peacetime economy of free independent private enterprise, the development of the maximum of independent operators in trade, industry, and agriculture, and to stimulate full employment;

"(c) to facilitate the transition of enterprises from wartime to peacetime production

and of individuals from wartime to peacetime employment;

"(d) to discourage monopolistic practices and to strengthen and preserve the competitive position of small business concerns in an economy of free enterprise;

"(e) to foster and to render more secure family-type farming as the traditional and desirable pattern of American agriculture;

"(f) to afford returning veterans an opportunity to establish themselves as proprietors of agricultural, business, and professional enterprises;

"(g) to encourage and foster post-war employment opportunities;

"(h) to assure the sale of surplus property in such quantities and on such terms as will discourage disposal to speculators or for speculative purposes;

"(i) to establish and develop foreign markets and promote mutually advantageous economic relations between the United States and other countries by the orderly disposition of surplus property in other countries;

"(j) to avoid dislocations of the domestic economy and of international economic relations;

"(k) to foster the wide distribution of surplus commodities to consumers at fair prices;

"(l) to effect broad and equitable distribution of surplus property;

"(m) to achieve the prompt and full utilization of surplus property at fair prices to the consumer through disposal at home and abroad with due regard for the protection of free markets and competitive prices from dislocation resulting from uncontrolled dumping;

"(n) to utilize normal channels of trade and commerce to the extent consistent with efficient and economic distribution and the promotion of the general objectives of this Act (without discriminating against the establishment of new enterprises);

"(o) to promote production, employment of labor, and utilization of the productive capacity and the natural and agricultural resources of the country;

"(p) to foster the development of new independent enterprise;

"(q) to prevent insofar as possible unusual and excessive profits being made out of surplus property;

"(r) to dispose of surplus property as promptly as feasible without fostering monopoly or restraint of trade, or unduly disturbing the economy, or encouraging hoarding of such property, and to facilitate prompt redistribution of such property to consumers;

"(s) to dispose of surplus Government-owned facilities and equipment in such manner as to promote an adequate and economical national transportation system; and

"(t) except as otherwise provided, to obtain for the Government, as nearly as possible, the fair value of surplus property upon its disposition.

#### DEFINITIONS

"SEC. 3. As used in this Act—

"(a) The term 'Government agency' means any executive department, board, bureau, commission, or other agency in the executive branch of the Federal Government, or any corporation wholly owned (either directly or through one or more corporations) by the United States.

"(b) The term 'owning agency', in the case of any property, means the executive department, the independent agency in the executive branch of the Federal Government, or the corporation (if a Government agency), having control of such property, otherwise than solely as a disposal agency.

"(c) The term 'disposal agency' means Government agency designated under section 10 to dispose of one or more classes of surplus property.

"(d) The term 'property' means any interest, owned by the United States or any Government agency, in real or personal prop-

erty, of any kind, wherever located, but does not include (1) the public domain, or such lands withdrawn or reserved from the public domain as the Surplus Property Board (created by section 5) determines are suitable for return to the public domain for disposition under the general land laws, or (2) naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers, and submarines.

"(e) The term 'surplus property' means any property which has been determined to be surplus to the needs and responsibilities of the owning agency in accordance with section 11.

"(f) The term 'contractor inventory' means (1) any property related to a terminated contract of any type with a Government agency or to a subcontract thereunder; and (2) any property acquired under a contract pursuant to the terms of which title is vested in the Government, and in excess of the amounts needed to complete performance thereunder; and (3) any property which the Government is obliged to take over under any type of contract as a result of any change in the specifications or plans thereunder.

"(g) The term 'care and handling' includes completing, repairing, converting, rehabilitating, operating, maintaining, preserving, protecting, insuring, storing, packing, handling, and transporting, and, in the case of property which is dangerous to public health or safety, destroying, or rendering innocuous, such property.

"(h) The term 'person' means any individual, corporation, partnership, firm, association, trust, estate, or other entity.

"(i) The term 'State' includes the several States, Territories, and possessions of the United States, and the District of Columbia.

"(j) The term 'tax-supported institution' means any scientific, literary, educational, public-health, or public-welfare institution which is supported in whole or in part through the use of funds derived from taxation by the United States, or by any State or political subdivision thereof.

"(k) The term 'veteran' means any person in the active military or naval service of the United States during the present war, or any person who served in the active military or naval service of the United States on or after September 16, 1940, and prior to the termination of the present war, and who has been discharged, or released therefrom under honorable conditions.

#### DISPOSITION OF SURPLUS PROPERTY—GENERAL RULE

"SEC. 4. Surplus property shall be disposed of to such extent, at such times, in such areas, by such agencies, at such prices, upon such terms and conditions, and in such manner, as may be prescribed in or pursuant to this Act.

#### SURPLUS PROPERTY BOARD

"SEC. 5. (a) There is hereby established in the Office of War Mobilization, and in its successor, a Surplus Property Board (hereinafter called the "Board"), which shall be composed of three members, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$12,000 per annum. The term of office of the members shall be two years, except that the term of office of the members first appointed shall expire two years from the date of the enactment of this Act, and the next succeeding terms shall then begin, and any person appointed to fill a vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term of such member shall be appointed only for such unexpired term. The President shall designate one of the members of the Board as Chairman.

"(b) The Board may, within the limits of funds which may be made available, appoint and fix the compensation of such officers and

employees, and may make such expenditures for supplies, facilities, and services, as may be necessary to carry out its functions. Without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, the Board may appoint such special assistants, and may employ such certified public accountants, qualified cost accountants, industrial engineers, appraisers, and other experts, and fix their compensation, and may contract with such certified public accounting firms and qualified firms of engineers, as may be necessary to carry out its functions.

#### DUTIES AND AUTHORITY OF BOARD

"SEC. 6. The activities of the Board shall be coordinated with the programs of the armed forces of the United States in the interests of the war effort. Until peace is concluded the needs of the armed forces are hereby declared and shall remain paramount. The Board shall have general supervision and direction, as provided in this Act, over (1) the care and handling and disposition of surplus property, and (2) the transfer of surplus property between Government agencies.

#### COOPERATION WITH INTERESTED GOVERNMENT AGENCIES

"SEC. 7. The Board shall advise and consult with other interested Government agencies with a view to obtaining all aid and assistance possible in coordinating the functions of the several agencies affected by the disposition of surplus property.

#### DELEGATION OF AUTHORITY

"SEC. 8. The head of any Government agency, except the Board, may delegate, and authorize successive redelegations of, any authority conferred upon him or his agency, by or pursuant to this Act to any officer, agent, or employee of such agency or, with the approval of the Board, to any other Government agency.

#### REGULATIONS

"SEC. 9. (a) The Board shall prescribe regulations to effectuate the provisions of this Act. In formulating such regulations, the Board shall be guided by the objectives of this Act.

"(b) Regulations issued pursuant to subsection (a) may, except as otherwise provided in this Act, contain provisions prescribing the extent to which, the times at which, the areas in which, the agencies by which, the prices at which, and the terms and conditions under which, surplus property may be disposed of, and the extent to which and the conditions under which surplus property shall be subject to care and handling.

"(c) Each Government agency shall carry out regulations of the Board expeditiously and shall issue such further regulations, not inconsistent with the regulations of the Board, as it deems necessary or desirable to carry out the provisions of this Act.

"(d) Regulations prescribed under this Act shall be published in the Federal Register.

#### DESIGNATION OF DISPOSAL AGENCIES

"SEC. 10. (a) Except as provided in subsection (b) of this section, the Board shall designate one or more Government agencies to act as disposal agencies under this Act. In exercising its authority to designate disposal agencies, the Board shall assign surplus property for disposal by the fewest number of Government agencies practicable and, so far as it deems feasible, shall centralize in one disposal agency responsibility for the disposal of all property of the same type or class.

"(b) The United States Maritime Commission shall be the sole disposal agency for surplus vessels which the Commission determines to be merchant vessels or capable of conversion to merchant use, and such vessels shall be disposed of only in accordance with the provisions of the Merchant Marine

Act, 1936, as amended, and other laws authorizing the sale of such vessels.

**"DECLARATION AND DISPOSITION OF SURPLUS PROPERTY"**

"Sec. 11. (a) Each owning agency shall have the duty and responsibility continuously to survey the property in its control and to determine which of such property is surplus to its needs and responsibilities.

"(b) Each owning agency shall promptly report to the Board and the appropriate disposal agency all surplus property in its control which the owning agency does not dispose of under section 14.

"(c) Whenever in the course of the performance of its duties under this Act, the Board has reason to believe that any owning agency has property in its control which is surplus to its needs and responsibilities and which it has not reported as such, the Board shall promptly report that fact to the Senate and House of Representatives. Each owning agency and each disposal agency shall submit to the Board (1) such information and reports with respect to surplus property in the control of the agency, in such form, and at such reasonable times, as the Board may direct; (2) such information and reports with respect to other property in the control of the agency, to such extent, and in such form, as the Board may direct and as the agency deems consistent with national security.

"(d) When any surplus property is reported to any disposal agency under subsection (b) of this section, the disposal agency shall have responsibility and authority for the disposition of such property, and for the care and handling of such property pending its disposition, in accordance with regulations prescribed by the Board. Where the disposal agency is not prepared at the time of its designation under this Act to undertake the care and handling of such surplus property the Board may postpone the responsibility of the agency to assume its duty for care and handling for such period as the Board deems necessary to permit the preparation of the agency therefor.

"(e) The Board shall prescribe regulations necessary to provide, so far as practicable, for uniform and wide public notice concerning surplus property available for sale, and for uniform and adequate time intervals between notice and sale so that all interested purchasers may have a fair opportunity to buy.

"(f) No surplus property which was processed, produced, or donated by the American Red Cross for any Government agency shall be disposed of except after notice to and consultation with the American Red Cross. All or any portion of such property may be donated to the American Red Cross, upon its request, solely for charitable purposes.

"(g) Each disposal agency shall maintain in each of its disposal offices such records of its inventories of surplus property and of each disposal transaction negotiated by that office as the Board may prescribe. The information in such records shall be available at all reasonable times for public inspection.

**"UTILIZATION OF SURPLUS PROPERTY BY FEDERAL AGENCIES"**

"Sec. 12. (a) It shall be the duty of the Board to facilitate the transfer of surplus property from one Government agency to other Government agencies for their use; and the transfer of surplus property under this section shall be given priority over all other disposals provided for in this Act.

"(b) It shall be the responsibility of all Government agencies, in order to avoid making purchases through commercial channels, continuously to consult the records of surplus property established by the Board and to determine whether their requirements can be satisfied out of such surplus property. It shall also be the responsibility of the head of each Government agency to submit to the

Board such estimates of the needs of the agency and such reports in relation thereto as the Board may deem necessary to promote the fullest utilization of surplus property. It shall be the responsibility of the Board to determine whether Government agencies are acquiring surplus property to the fullest possible extent, and to notify agencies whenever in its judgment, they are not so doing.

"(c) The disposal agency responsible for any such property shall transfer it to the Government agency acquiring it at the fair value of the property as fixed by the disposal agency, under regulations prescribed by the Board, unless transfer without reimbursement or transfer of funds is otherwise authorized by law.

**"DISPOSAL TO LOCAL GOVERNMENTS AND NON-PROFIT INSTITUTIONS"**

"Sec. 13. (a) The Board shall prescribe regulations for the disposition of surplus property to States and their political subdivisions and instrumentalities, and to tax-supported and nonprofit institutions, and shall determine on the basis of need what transfers shall be made. In formulating such regulations the Board shall be guided by the objectives of this Act and shall give effect to the following policies to the extent feasible and in the public interest:

"(1) (A) Surplus property that is appropriate for school, classroom, or other educational use may be sold or leased to the States and their political subdivisions and instrumentalities, and tax-supported educational institutions, and to other nonprofit educational institutions which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code.

"(B) Surplus medical supplies, equipment, and property suitable for use in the protection of public health, including research, may be sold or leased to the States and their political subdivisions and instrumentalities, and to tax-supported medical institutions, and to hospitals or other similar institutions not operated for profit which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code.

"(C) In fixing the sale or lease value of property to be disposed of under subparagraph (A) and subparagraph (B) of this paragraph, the Board shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or institution.

"(2) Surplus property shall be disposed of so as to afford public and governmental institutions, non-profit or tax-supported educational institutions, charitable and eleemosynary institution, nonprofit or tax-supported hospitals and similar institutions, States, their political subdivisions and instrumentalities, and volunteer fire companies, an opportunity to fulfill, in the public interest, their legitimate needs.

"(b) Under regulations prescribed by the Board, whenever the Government agency authorized to dispose of any property finds that it has no commercial value or that the cost of its care and handling and disposition would exceed the estimated proceeds, the agency may donate such property to any agency or institution supported by the Federal Government or any State or local government, or to any nonprofit educational or charitable organization, or, if that is not feasible, shall destroy or otherwise dispose of such property, but, except in the case of property the immediate destruction of which is necessary or desirable either because of the nature of the property or because of the expense or difficulty of its care and handling, no property shall be destroyed until 30 days after public notice of the proposed destruction thereof has been given (and a copy of such notice given to the Board at the begin-

ning of such 30-day period) and an attempt has been made within such 30 days to dispose of such property otherwise than by destruction.

"(c) No airport and no harbor or port terminal, including necessary operating equipment, shall be otherwise disposed of until it has first been offered, under regulations to be prescribed by the Board, for sale or lease to the State, political subdivision thereof, and any municipality, in which it is situated, and to all municipalities in the vicinity thereof.

"(d) Whenever any State or political subdivision thereof, or any State or Government agency or instrumentality certifies to the Board that any power transmission line determined to be surplus property under the provisions of this act is useful for or adaptable to the requirements of any public or cooperative power project, such line and the right-of-way acquired for its construction shall not be sold, leased for more than 1 year, or otherwise disposed of, except as provided in section 12 or this section, unless specifically authorized by act of Congress.

"(e) In disposing of any surplus real property, as defined in section 23, on or across which highways or streets had been established and constructed and were being maintained by the States or their political subdivisions or instrumentalities at the time such surplus real property was acquired by the Government, and where such highways or streets were vacated, destroyed, or shut off from general public use in order to meet the requirements and serve the purposes of the Government, the States or their political subdivisions or instrumentalities first shall be given a reasonable time, to be fixed by the Board, in which to repurchase the original rights-of-way on which such highways or streets were established and in which to purchase such new or additional rights-of-way as may be required for reestablishing, in whole or in part, such highways or streets of greater width or on new and more adequate locations, at a price not exceeding that paid therefor by the Government.

"(f) The disposal of surplus property under this section to States and political subdivisions and instrumentalities thereof shall be given priority over all other disposals of property provided for in this act except transfers under section 12.

**"DISPOSITION BY OWNING AGENCY"**

"Sec. 14. (a) Subject only to the regulations of the Board with respect to price policies, any owning agency may dispose of any property for the purpose of war production or authorize any contractor with such agency or subcontractor thereunder to retain or dispose of any contractor inventories for the purpose of war production. The Board may empower any owning agency, subject to the regulations of the Board, to authorize any contractor with such agency or subcontractor thereunder to retain or dispose of any contractor inventories for any other purpose which in the opinion of the Board is not contrary to the objectives of this Act. Where any owning agency takes possession of any contractor inventory from any contractor with the agency or subcontractor thereunder, such property shall be disposed of only in accordance with the provisions of this Act.

"(b) Subject only to subsection (c) of this section, any owning agency may dispose of—

"(1) any property which is damaged or worn beyond economical repair;

"(2) any waste, salvage, scrap, or other similar items;

"(3) any product of industrial, research, agricultural, or livestock operations, or of any public works construction or maintenance project, carried on by such agency; which does not consist of strategic minerals and metals, as defined in section 22.

"(c) Whenever the Board deems such action necessary to effectuate the objectives and policies of this Act, the Board, by regulations, shall restrict the authority of any owning agency to dispose of any class of surplus property under subsection (b) of this section.

#### "METHODS OF DISPOSITION

"Sec. 15. (a) Notwithstanding the provisions of any other law but subject to the provisions of this Act, whenever any Government agency is authorized to dispose of property under this Act, then the agency may dispose of such property by sale, exchange, lease, or transfer, for cash, credit, or other property, with or without warranty, and upon such other terms and conditions, as the agency deems proper: *Provided, however,* That in the case of raw materials, consumer goods, and small tools, hardware and nonassembled articles which may be used in the manufacture of more than one type of product, no extension of credit under this Act shall be for a longer period than three years.

"(b) Any owning agency or disposal agency may execute such documents for the transfer of title or other interest in property or take such other action as it deems necessary or proper to transfer or dispose of property or otherwise to carry out the provisions of this Act, and, in the case of surplus property, shall do so to the extent required by the regulations of the Board.

#### "DISPOSITIONS TO VETERANS

"Sec. 16. The Board shall prescribe regulations to effectuate the objectives of this Act to aid veterans to establish and maintain their own small business, professional, or agricultural enterprises, by affording veterans suitable preferences to the extent feasible and consistent with the policies of this Act in the acquisition of the types of surplus property useful in such enterprises.

#### "DISPOSITIONS IN RURAL AREAS

"Sec. 17. The Board shall devise ways and means and prescribe regulations in cooperation with the War Food Administrator providing for the sale of surplus property in such quantities in rural localities and in such manner as will assure farmers and farmers' cooperative associations equal opportunity with others to purchase surplus property: *Provided, however,* That in cases where a shortage of trucks, machinery, and equipment impairs farm production, a program shall be developed by the Board in cooperation with the Agricultural Adjustment Agency whereby a reasonable portion of the surplus supply will be made available for sale in rural areas to farmers and farmers' cooperative associations.

#### "SMALL BUSINESS

"Sec. 18. (a) It shall be the duty of the Board to devise ways and means and prescribe regulations to prevent any discrimination against small business in the disposal and distribution and use of any surplus property.

"(b) The Board shall by regulations determine, or provide for the determination, as to all surplus property in the hands of each disposal agency, the size of lots in which, and the areas in which, the various classes of such property should be offered consistently with the usual and customary commercial practice with respect to such class. The available supply of each class in each area shall be so disposed of as to give to prospective purchasers, within such area, of any particular amount (not smaller than the smallest lot consistent with such commercial practice) preference (by affording them reasonable opportunity to acquire the desired amount) over prospective purchasers of larger amounts.

"(c) The Smaller War Plants Corporation is hereby specifically charged with the responsibility of cooperating with the Board and with the owning and disposal agencies,

of making surveys from time to time, and bringing to the attention of the agencies and the Board the needs and requirements of small business and any cases or situations which have resulted in or would effect discrimination against small business in the purchase or acquisition of surplus property by them and in the disposal thereof by the agencies.

"(d) The Smaller War Plants Corporation is hereby authorized and directed to consult with small business to obtain full information concerning the needs of small business for surplus property.

"(e) The Smaller War Plants Corporation shall have the power to purchase any surplus property for resale, subject to regulations of the Board, to small business (and is empowered to receive other property in exchange as partial or full payment therefor), when in its judgment, such disposition is required to preserve and strengthen the competitive position of small business, or will assist the Corporation in the discharge of the duties and responsibilities imposed upon it. The provisions of subsections (a) and (c) of section 12 shall be applicable to purchases made by the Smaller War Plants Corporation under this subsection.

"(f) The Smaller War Plants Corporation is hereby authorized, for the purpose of carrying out the objectives of this section, to make or guarantee loans to small business enterprises in connection with the acquisition, conversion, and operation of plants and facilities which have been determined to be surplus property, and, in cooperation with the disposal agencies, to arrange for sales of surplus property to small business concerns on credit or time bases.

#### "DISPOSAL OF PLANTS

"Sec. 19. (a) The Board, in cooperation with the various disposal agencies, shall prepare and submit to the Congress within three months after enactment of this Act, a report as to each of the following classes of surplus property (not including any plant which cost the Government less than \$5,000,000): (1) aluminum plants and facilities; (2) magnesium plants and facilities; (3) synthetic rubber plants and facilities; (4) chemical plants and facilities; (5) aviation gasoline plants and facilities; (6) iron and steel plants and facilities; (7) pipe lines and facilities used for transporting oil; (8) patents, processes, techniques, and inventions, except such as are necessary to the operation of the plants and facilities herein listed; (9) aircraft plants and facilities and aircraft and aircraft parts; (10) shipyards and facilities; (11) transportation facilities; and (12) radio and electrical equipment:

"(A) Describing the amount, cost, and location of the property and setting forth other descriptive information relative to the use of the property;

"(B) Outlining the economic problems that may be created by disposition of the property;

"(C) Setting forth a plan or program for the care and handling, disposition, and use of the property consistent with the policies and objectives set forth in this Act.

"(b) In the event that it is not possible within such period to prepare and submit a complete report to the Congress as to any class of property, the Board shall submit an interim report three months after the enactment of this Act, and shall submit a complete report as soon thereafter as possible. If the Board determines that it is desirable to alter or change any such plan or program or to prepare a report on any other class of property, it shall prepare in accordance with the provisions of this subsection and submit to the Congress an additional report, setting forth the altered or changed plan or program or a plan or program relating to the new class of property.

"(c) Whenever the Board may deem it to be in the interest of the objectives of this Act it may authorize the disposition of any surplus property listed in classes 9 to 12, inclusive, of subsection (a) of this section. With respect to the property listed in classes 1 to 8, inclusive, no disposition shall be made or authorized until thirty days after such report (or additional report) has been made while Congress is in session, except that the Board may authorize any disposal agency to lease any such property for a term of not more than five years.

"(d) The Board may authorize any disposal agency to dispose of any materials or equipment related to any surplus plant covered by this section, if such materials and equipment are not necessary for the operation of the plant in the manner for which it is designed.

"(e) This section shall not apply to any Government-owned equipment, structure, or other property operated as an integral part of a privately owned plant and not capable of economic operation as a separate and independent unit.

#### "APPLICABILITY OF ANTITRUST LAWS

"Sec. 20. Whenever any disposal agency shall begin negotiations for the disposition to private interests of a plant or plants or other property, which cost the Government \$1,000,000 or more, or of patents, processes, techniques or inventions, irrespective of cost, the disposal agency shall promptly notify the Attorney General of the proposed disposition and the probable terms or conditions thereof. Within a reasonable time, in no event to exceed ninety days after receiving such notification, the Attorney General shall advise the Board and the disposal agency whether, in his opinion, the proposed disposition will violate the antitrust laws. Upon the request of the Attorney General, the Board or other Government agency shall furnish or cause to be furnished such information as it may possess which the Attorney General determines to be appropriate or necessary to enable him to give the advice called for by this section or to determine whether any other disposition of surplus property violates the antitrust laws. Nothing in this Act shall impair, amend, or modify the antitrust laws or limit and prevent their application to persons who buy or otherwise acquire property under the provisions of this Act. As used in this section, the term "antitrust laws" includes the Act of July 2, 1890 (ch. 647, 26 Stat. 209), as amended; the Act of October 15, 1914 (ch. 323, Stat. 730), as amended; the Federal Trade Commission Act; and the Act of August 27, 1894 (ch. 349, secs. 73, 74, 28 Stat. 570), as amended.

#### "DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES

"Sec. 21. (a) Subject to the supervision of the Board, the War Food Administrator, or his successor, shall be solely responsible for the formulation of policies with respect to the disposal of surplus agricultural commodities and surplus foods processed from agricultural commodities, which shall be administered by the disposal agency or agencies designated by the Board. Such policies shall be so formulated as to prevent surplus agricultural commodities, or surplus food processed from agricultural commodities, from being dumped on the market in a disorderly manner and disrupting the market prices for agricultural commodities.

"(b) The Board shall not exercise any of its powers under this Act with relation to disposal of surplus cotton or woolen goods except with the approval in writing of the War Food Administrator or his successor.

"(c) Surplus farm commodities shall not be sold in the United States under this Act in quantities in excess of, or at prices less than, those applicable with respect to sales of such commodities by the Commodity Credit Corporation, or at less than current prevailing market prices, whichever may be the higher,

unless such commodities are being disposed of, pursuant to this Act, only for export; and the Commodity Credit Corporation may dispose of or cause to be disposed of for cash or its equivalent in goods or for adequately secured credit, for export only, and at competitive world prices, any farm commodity or products thereof without regard to restrictions with respect to the disposal of commodities imposed upon it by any law: *Provided*, That no food or food product shall be sold or otherwise disposed of under this subsection for export (1) if there is a shortage of such food or food product in the United States or if such sale or other disposition may result in such a shortage, or (2) if such food or food product is needed to supply the normal demands of consumers in the United States.

#### "STOCK PILING

"SEC. 22. (a) All Government-owned accumulations of strategic minerals and metals, including those owned by any Government corporation, shall be transferred by the owning agency, when determined to be surplus pursuant to this Act, to the account of the Treasury Procurement Division and shall be added to the stock pile authorized by the Act of June 7, 1939 (53 Stat. 811), as amended, and shall be subject to its provisions: *Provided*, That contractor inventory shall be so transferred only when the owning agency has taken possession of and determined such inventory to be surplus. The minerals and metals may be transferred in any form in which they are held, but the owning agency or the Treasury Procurement Division is authorized either before or after such legal transfer to cause such minerals or metals to be put into forms best suited for storage and use for the common defense. As used in this section the phrase 'strategic minerals and metals' means copper, lead, zinc, tin, manganese, chromite, nickel, molybdenum, tungsten, mercury, mica, quartz crystals, industrial diamonds, cadmium, fluor-spar, cobalt, tantalite, antimony, vanadium, platinum, beryl, graphite (and to which may be added aluminum or any other minerals or metals in such quantities or amounts as the Army and Navy Munitions Board may determine to be necessary for the stock pile authorized by the Act of June 7, 1939), and shall include ores, concentrates, alloys, scrap, and partially and completely fabricated articles of which the principal components by value consist of such minerals and metals, but shall not include such fabricated articles as the Army and Navy determine are not suitable for their use in the form in which fabricated and which may be disposed of commercially at value substantially in excess of the metal market price of the component minerals and metals of such fabricated articles.

"(b) Pending a determination by the War Production Board that the supplies of the respective strategic minerals and metals available to industry are sufficient to meet the current requirements of industry, the owning agency subject to the regulations prescribed by the Surplus Property Board shall withhold from transfer under this section an amount of such minerals and metals equal to the deficiency, if any, estimated by the War Production Board as likely to exist for the requirements of industry for a period of six months for purposes other than war production; and may dispose of the minerals and metals so withheld to the extent necessary to meet any such deficiency actually found to exist by the War Production Board, at the market price of the respective minerals and metals.

"(c) Any Government-owned accumulations of strategic materials shall, at the request of the War and Navy Departments, be transferred by the owning agency, when determined to be surplus pursuant to this

Act, to the account of the Treasury Procurement Division and shall be added to the stock pile authorized by the Act of June 7, 1939 (53 Stat. 811), as amended, and shall be subject to its provisions. The materials may be transferred in any form in which they are held and they shall thereafter be put into forms best suited for storage and use for the common defense. The term 'strategic materials' as used in this subsection means all materials except strategic minerals and metals as defined in subsection (a) of this section and includes all materials in group A or in group B of the list of strategic and critical materials determined upon by the Army and Navy Munitions Board on March 6, 1944, as amended from time to time, but shall not include any of such materials which the Army and Navy determine do not meet the specifications suitable for common defense or are in excess of the needs thereof. The Army and Navy Munitions Board is authorized to direct the removal from the list of any of the materials as defined in this subsection, in which event they shall be disposed of under the provisions of this Act.

"(d) Within three months following the enactment of this Act the Army and Navy Munitions Board shall submit to Congress its recommendations respecting the maximum and minimum amounts of each strategic mineral or metal which in its opinion should be held in the stock pile authorized by the Act of June 7, 1939. After one year from the submission of such recommendations, unless the Congress provides otherwise by law, the Board may authorize the proper disposal agencies to dispose of any Government-owned accumulations of strategic minerals and metals including those owned by any Government corporation when determined to be surplus pursuant to this Act.

#### "DISPOSAL OF SURPLUS REAL PROPERTY

"SEC. 23. (a) As used in this section—

"(1) The term 'real property' means property consisting of land, together with any fixtures and improvements thereon, located outside of the District of Columbia, but does not include war housing, industrial plants, factories, or similar structures and facilities, or the sites thereof, or land which the Board determines is essential to the use of any of the foregoing; and

"(2) The term 'surplus real property' means real property which has been determined under section 11 to be surplus property.

"(b) Surplus real property which is not disposed of to Government agencies under section 12 or to States or their political subdivisions or instrumentalities under section 13 shall be disposed of in accordance with this section.

"(c) Immediately after the reporting of surplus real property to the Board under section 11, the Board shall classify such property as agricultural, grazing, forest, mineral, or otherwise, as it may deem advisable. The classification may be revised from time to time.

"(d) (1) (A) In the case of any surplus real property which was acquired by any Government agency after December 31, 1939, the person from whom such property was acquired shall be given notice, in such manner (which may include publication) as the Board by regulation may prescribe, that the property is to be disposed of by the United States and shall be entitled to purchase such property, in substantially the identical tract as when acquired from such person, at private sale at any time during the period of 90 days following such notice: *Provided*, That such period shall be extended in any case when it appears that such extension is necessary or appropriate to facilitate the sale of any surplus real property under this subsection.

"(B) In the case of real property acquired by any Government agency after December 31, 1939, which either—

"(i) has not been determined under section 11 to be surplus property, or

"(ii) has been disposed of under section 12 or 13, or

"(iii) is classified as suitable for a purpose different from that for which it was used when acquired by the Government, and with respect to which the person from whom it was acquired has signified an intention not to exercise the privilege granted under subparagraph (A),

"the person from whom such property was acquired may be offered other surplus real property in the same area for purchase at private sale, if such other property is classified as suitable for the purpose for which the property so acquired was used when so acquired, and is otherwise similar to the property so acquired.

"(2) In the case of surplus real property which was acquired by any Government agency after December 31, 1939, and which is classified as suitable for agricultural use, if any tenant (who was a tenant at the time of acquisition) of the person from whom such property was acquired, signifies, within a period of ninety days following public notice of sale, his intention to purchase such property, and no person has exercised his privilege under paragraph (1) (A), such tenant shall be entitled to purchase such property, in substantially the identical tract as when acquired by such Government agency, at private sale at any time during such ninety-day period.

"(3) The price to be paid for surplus real property sold under this subsection shall be a price not greater than that for which it was acquired by the United States, such acquisition price being properly adjusted to reflect any increase or decrease in the value of such property resulting from action by the United States, or a price equal to the market price at the time of sale of such property, whichever price is the lower.

"(4) The Board may by regulation prescribe methods for the identification of persons entitled to exercise the privilege conferred by this subsection.

"(e) If any surplus real property is not disposed of under subsection (d)—

"(1) such property, if classified as suitable for agricultural use, shall be subdivided, as provided by the Board, whenever practicable into economic family-size units (taking into consideration the variations in sizes of economic units in different localities); and

"(2) such property, if not classified as suitable for agricultural use, shall be subdivided into the appropriate units in which the Board deems the property should be disposed of, giving due consideration to the character of the property, the economic use to which it is likely to be put, and the objectives of disposition as set forth in this Act.

"(f) (1) Whenever any surplus real property classified as suitable for agricultural, residential, or small business purposes is to be disposed of, except as provided in subsection (d) of this section, veterans shall be granted a preference in the purchase of such property over nonveterans.

"(2) The following procedure shall govern the exercise of veterans' preference rights under this subsection: The disposal agency, under regulations prescribed by the Board, shall fix the price of each unit into which the property is subdivided under subsection (e) after taking into consideration the then current market value, the character of the property, and, if income producing property, the estimated earning capacity thereof. Before any such property is disposed of, except under subsection (d), any veteran may apply for the purchase of any or all units offered for sale at the price so fixed. The Board shall prescribe the time within which application

shall be made and shall give such notice thereof as it deems reasonable to enable veterans to exercise their rights under this subsection. The Board shall provide for the selection of the purchaser of each unit by lot from among the applicants for the unit. If any applicant is selected as the purchaser of more than one unit, he shall elect which one to take, whereupon the right to purchase the remaining units shall go to the remaining applicants in the order in which their names were drawn. No veteran may apply for the purchase of any property under the provisions of this subsection if he has previously exercised a preference right under this section and has acquired property pursuant thereto. Sales to veterans under this subsection shall be upon such terms as the Board may prescribe.

"(g) In the case of the death of a person entitled under this section to rights as a former owner or veteran, his spouse and children, in that order, shall succeed to such rights of the decedent existing at the time of his death. Any preference right under subsection (f) to which a person would have been entitled except for his death while in the active military or naval service of the United States, shall be extended to his spouse and children, in that order. No preference right may be assigned or exercised by power of attorney or through a power to select except as may be permitted by regulations prescribed by the Board in order to prevent the loss of such right by the holder thereof.

"(h) A certificate by the disposal agency that the provisions of subsections (d), (f), and (g) have been complied with in the case of any property and that no qualified applicant has made application to exercise his privilege to purchase within the time limits fixed by or pursuant to this Act, shall terminate all privileges to purchase such property.

"(i) In the case of surplus real property which is classified as suitable for agricultural use and which is not disposed of under subsection (d) or (f), such property (after subdivision as provided in subsection (e) (1)) shall be disposed of insofar as possible only to persons who expect to cultivate the land and to operate it for a livelihood. The Department of Agriculture is authorized and directed, within the limits of its current functions under the Bankhead-Jones Farm Tenant Act, to extend needed financial and other assistance to persons eligible for such assistance under the Bankhead-Jones Farm Tenant Act and the Servicemen's Readjustment Act of 1944, in connection with the disposal of surplus agricultural lands pursuant to this subsection.

"(j) In the case of sales of real property under this section or under any other provision of this Act, the form of deed or instrument of transfer shall be approved by the Attorney General. Deeds or other instruments containing general or special warranties of title may be issued and delivered to purchasers provided such warranties have been recommended and approved by the Attorney General. In determining whether general or special warranty deeds to properties may be issued and delivered, the Attorney General is authorized to approve the issuance and delivery of warranty deeds where titles are subject to infirmities of such character that in his opinion the interests of the United States will not be jeopardized under its warranty.

#### "REPORTS TO CONGRESS

"SEC. 24. Within three months after the enactment of this Act, and thereafter in January, April, July, and October of each year, the Board shall submit to the Senate and House of Representatives a progress report on the exercise of its authority and discretion under this Act, the status of surplus property disposition, and such other pertinent information on the administration of the Act as will enable the Congress to eval-

uate its administration and the need for amendments and related legislation.

#### "TITLE OF PURCHASE

"SEC. 25. A deed, bill of sale, lease, or other instrument executed by or on behalf of any Government agency purporting to transfer title or any other interest in property under this Act shall be conclusive evidence of compliance with the provisions of this Act insofar as title or other interest of any bona fide purchaser for value, or lessees, as the case may be, is concerned.

#### "CIVIL REMEDIES AND PENALTIES

"SEC. 26. (a) Where any property is disposed of in accordance with this Act and any regulations prescribed under this Act, no officer or employee of the Government shall (1) be liable with respect to such disposition except for his own fraud or (2) be accountable for the collection of any purchase price which is determined to be uncollectible by the agency responsible therefor.

"(b) Every person who shall use or engage in or cause to be used or engaged in any fraudulent trick, scheme, or device, for the purpose of securing or obtaining, or aiding to secure or obtain, for any person any payment, property, or other benefits from the United States or any Government agency in connection with the disposition of property under this Act; or who enters into an agreement, combination, or conspiracy to do any of the foregoing—

"(1) shall pay to the United States the sum of \$2,000 for each such act, and double the amount of any damage which the United States may have sustained by reason thereof, together with the costs of suit; or

"(2) shall, if the United States shall so elect, pay to the United States, as liquidated damages, a sum equal to twice the consideration agreed to be given by such person to the United States or any Government agency; or

"(3) shall, if the United States shall so elect, restore to the United States the property thus secured and obtained and the United States shall return as liquidated damages any consideration given to the United States or any Government agency for such property.

"(c) The several district courts of the United States, the District Court of the United States for the District of Columbia, and the several district courts of the Territories of the United States, within whose jurisdictional limits the person, or persons, doing or committing such act, or any one of them, resides or shall be found, shall wherever such act may have been done or committed, have full power and jurisdiction to hear, try, and determine such suit.

"(d) The civil remedies provided in this section shall be in addition to all other criminal penalties and civil remedies provided by law.

#### "PRACTICE BY FORMER EMPLOYEES

"SEC. 27. No person employed by any Government agency, including commissioned officers assigned to duty in such agency, shall, during the period such person is engaged in such employment or service, or for a period of two years after the time when such employment or service has ceased, act as counsel, attorney, or agent, or be employed as representative, in connection with any matter involving the disposition of surplus property by the agency in which such person was employed, if such person during his employment with such agency ratified, approved, or authorized the disposition of any surplus property pursuant to the provisions of this Act or recommended any such approval, authorization, or ratification as part of his official duties. Any person violating the provisions of this section shall be fined not more than \$10,000, or imprisoned for not more than one year, or both.

#### "STATUTE OF LIMITATIONS

"SEC. 28. The first section of the Act of August 24, 1942 (56 Stat. 747), as amended, is amended to read as follows:

"The running of any existing statute of limitations applicable to any offense against the laws of the United States (1) involving defrauding or attempts to defraud the United States or any agency thereof whether by conspiracy or not, and in any manner, or (2) committed in connection with the negotiation, procurement, award, performance, payment for, interim financing, cancellation or other termination or settlement, of any contract, subcontract, or purchase order which is connected with or related to the prosecution of the present war, or with any disposition of termination inventory by any war contractor or Government agency, or (3) committed in connection with the care and handling and disposal of property under the Surplus Property Act of 1944, shall be suspended until three years after the termination of hostilities in the present war as proclaimed by the President or by a concurrent resolution of the two Houses of Congress. This section shall apply to acts, offenses, or transactions where the existing statute of limitations has not yet fully run, but it shall not apply to acts, offenses, or transactions which are already barred by provisions of existing law."

#### "MISCELLANEOUS PROVISIONS

"SEC. 29. Surplus property disposals may be made without regard to any provision in existing law for competitive bidding, unless the Board shall determine that disposal by competitive bid will in a given case better effectuate the policy of the Act.

#### "DISPOSITION OF PROCEEDS

"SEC. 30. (a) All proceeds from any transfer or disposition of property under this Act should be covered into the Treasury as miscellaneous receipts, except as provided in subsections (b), (c), and (d) of this section.

"(b) Where the property transferred or disposed of was acquired by the use of funds either not appropriated from the general fund of the Treasury or appropriated from the general fund of the Treasury but by law reimbursable from assessment, tax, or other revenue or receipts, then upon the request of the interested agency the net proceeds of the disposition or transfer shall be credited to the reimbursable fund or appropriation or paid to the owning agency. As used in this subsection the term "net proceeds of the disposition or transfer" means the proceeds of the disposition or transfer minus all expenses incurred for care and handling and disposition or transfer.

"(c) To the extent authorized by the Board, any Government agency disposing of property under this Act (1) may deposit, in a special account with the Treasurer of the United States, such amount of the proceeds of such dispositions as it deems necessary to permit appropriate refunds to purchasers when any disposition is rescinded or does not become final, or payments for breach of any warranty, and (2) may withdraw therefrom amounts so to be refunded or paid, without regard to the origin of the funds withdrawn.

"(d) Where a contract or subcontract authorizes the proceeds of any sale of property in the custody of the contractor or subcontractor to be credited to the price or cost of the work covered by such contract or subcontract, the proceeds of any such sale shall be credited in accordance with the contract or subcontract.

"(e) Where the disposal agency acquires or retains any mortgage, lien, or other interest as security in connection with any transfer or disposition of property under this Act, the disposal agency shall retain, preserve, and manage such security and may enforce and settle any right of the Government with respect thereto in such manner and upon such

terms as it deems in the best interest of the Government. The Board may prescribe regulations to govern the exercise of the authority granted under this subsection.

#### "USE OF APPROPRIATED FUNDS"

"SEC. 31. (a) Any Government agency is authorized to use for the disposition of property under this Act, and for its care and handling pending such disposition, any funds heretofore or hereafter appropriated, allocated, or available to it for the purpose of production or procurement of such property.

"(b) Any Government agency is authorized to use for the acquisition of any surplus property under this Act any funds heretofore or hereafter appropriated, allocated, or available to it for the acquisition of property of the same kind.

"(c) There are authorized to be appropriated such sums as may be necessary or appropriate for administering the provisions of this Act.

#### "DISPOSITIONS OUTSIDE UNITED STATES"

"Sec. 32. (a) Nothing in this Act shall limit or affect the authority of commanders in active theaters of military operations with respect to property in their control.

"(b) The provisions of this Act shall be applicable to dispositions of property within the United States and elsewhere, but the Board may exempt from some or all of the provisions hereof dispositions of property located outside of the continental United States, its Territories and possessions, whenever it deems that such provisions would obstruct the efficient and economic disposition of such property in accordance with the objectives of this Act.

#### "RESTRICTIONS ON IMPORTATION OF SURPLUS PROPERTY INTO UNITED STATES"

"Sec. 33. (a) It is the policy of this Act to prohibit, so far as feasible and necessary to carry out the objectives of this Act, the importation into the United States of surplus property sold abroad or for export. The Board shall prescribe regulations to carry out such policy, and the importation of surplus property into the United States is hereby prohibited to the extent specified in such regulations. The Secretary of the Treasury is authorized and directed to provide for the enforcement of such regulations.

"(b) Surplus property sold to members of the armed forces abroad may be brought into the United States without regard to the provisions of subsection (a) if brought in by the original purchaser and upon certificate by him that he is bringing the property into the United States for his personal use.

#### "SAVING PROVISIONS"

"Sec. 34. (a) The authority conferred by this Act is in addition to any authority conferred by any other law and shall not be subject to the provisions of any law inconsistent herewith. This Act shall not impair or affect any authority for the disposition of property under any other law, except that the Board may prescribe regulations to govern any disposition of surplus property under any such authority to the same extent as if the disposition were made under this Act, whenever it deems such action necessary to effectuate the objectives and policies of this Act.

"(b) Nothing in this Act shall impair or affect the provisions of the Contract Settlement Act of 1944; the Emergency Price Control Act of 1942, as amended; the Act of October 2, 1942 (ch. 578, 56 Stat. 765), as amended; section 301 of the Second War Powers Act, 1942; the Act of March 11, 1941 (55 Stat. 31), as amended; the Tennessee Valley Authority Act of 1933, as amended; Public Law 849, Seventy-sixth Congress, as amended, respecting war housing and facilities; the act of June 7, 1939, relating to the acquisition of strategic and critical materials (53 Stat. 811); the Trading With the Enemy Act, as amended; section 43 of the Bankhead-Jones Farm Tenant Act, as amended; Acts

supplemental to any of the foregoing: any law regulating the exportation of property from the United States; the internal-revenue laws; the statutes relating to the public lands; or any criminal law of the United States.

"(c) Nothing in this Act shall be deemed to impair or modify any contract, or any term or provision of any contract, without the consent of the contractor, if the contract or the term or provision thereof is otherwise valid.

#### "TEMPORARY APPLICABILITY OF EXISTING PROCEDURES"

"Sec. 35. All policies and procedures relating to surplus property prescribed by the Surplus War Property Administration, created by Executive Order Numbered 9425, dated February 19, 1944, or any other Government agency, in effect upon the effective date of this Act and not inconsistent with this Act, shall remain in full force and effect unless and until superseded by regulations prescribed under this Act.

#### "TERMINATION INVENTORIES"

"Sec. 36. (a) The Congress recognizes that upon termination of war contracts, the plants of war contractors will be filled with vast termination inventories which until removed or disposed of will prevent or interfere with the resumption of civilian production and reemployment, and that so far as possible decisions should be made in advance of termination for the disposition and removal of such termination inventories without delay when termination occurs. Measures should be taken to realize the greatest possible value from termination inventories.

"(b) In advance of termination, to the maximum extent practicable—

"(1) each contracting agency shall advise its war contractors of the classes of termination inventory the contracting agency will wish to retain for military purposes; and

"(2) the Board shall establish procedures for advising war contractors as to the care and handling and disposition of termination inventory not required for military purposes, in order to effectuate the policies stated in subsection (a) of this section and the policies of section 11 (a) (3) of the Contract Settlement Act of 1944.

"(c) To the extent that it is impracticable so to advise war contractors in advance of termination, the contracting agencies and the Board shall be prepared to give such advice as soon as practicable after termination of the war contract.

"(d) The Board and the Director of Contract Settlement shall cooperate in carrying out the provisions of this section.

"(e) For the purposes of this section, the terms 'contracting agency', 'termination inventory', and 'war contractor' shall have the meanings assigned to such terms by section 3 of the Contract Settlement Act of 1944.

#### "INCREASE IN LOAN RATE ON COTTON"

"Sec. 37. (a) Section 8 (a) (1) of the Stabilization Act of 1942, as amended (relating to loans upon certain agricultural commodities), is amended by striking out 'at the rate in the case of cotton of 92½ per centum' and inserting in lieu thereof 'at the rate in the case of cotton of 95 per centum'.

"(b) The amendment made by this section shall be applicable only with respect to crops harvested after December 31, 1943, but shall not apply to crops planted after 1944. In the case of loans made under such section 8 upon any of the 1944 crop of cotton before the amendment made by this section takes effect, the Commodity Credit Corporation is authorized and directed to increase or provide for increasing the amount of such loans to the amount of the loans which would have been made if the loan rate specified in the amendment made by this section had been in effect at the time the loans were made.

#### "EXPIRATION DATE"

"Sec. 38. Unless extended by law, this Act shall expire at the end of three years following the date of the cessation of hostilities in the present war. For the purposes of this section the term 'date of the cessation of hostilities in the present war' means the date proclaimed by the President as the date of such cessation, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such cessation, whichever is the earlier.

#### "SEPARABILITY OF PROVISIONS"

"Sec. 39. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

And the Senate agree to the same.

Amend the title to read as follows: "An Act to aid the reconversion from a war to a peace economy through the distribution of Government surplus property and to establish a Surplus Property Board to effectuate the same, and for other purposes."

ELBERT D. THOMAS,  
EDWIN C. JOHNSON,  
LISTER HILL,  
ALBERT B. CHANDLER,  
By E. C. J.,

WARREN R. AUSTIN,  
CHAN GURNEY,  
CHAPMAN REVERCOMB,

*Managers on the part of the Senate.*

CARTER MANASCO,  
JOHN J. COCHRAN,  
WILL. M. WHITTINGTON,  
CHARLES L. GIFFORD,

By C. M.,  
GEORGE H. BENDER,  
By C. M.,

*Managers on the part of the House.*

Mr. SHIPSTEAD rose.

Mr. JOHNSON of Colorado. Mr. President, I understand the senior Senator from Minnesota must leave shortly in order to take a train and desires to have the floor for a few minutes.

Mr. SHIPSTEAD. That is true, Mr. President, and I apologize to the Senate for interrupting the Senator and for having to leave in order to take a train.

Mr. JOHNSON of Colorado. Mr. President, I yield to the Senator from Minnesota.

Mr. WHERRY. Mr. President, am I to understand that the distinguished Senator from Colorado will not ask for consideration of the conference report until after the Senator from Minnesota has completed his remarks?

Mr. JOHNSON of Colorado. That is correct.

AMERICAN FOREIGN POLICY SINCE 1932

Mr. SHIPSTEAD. Mr. President, from time to time during this session, and the first session of the Seventy-ninth Congress, I intend to discuss, from various points of view, the foreign policy of the United States. I am going to take up the relation between the powers of Congress, and those of the President, with regard to foreign affairs. I am going to review the foreign economic policy of this country, particularly in the two decades during which I have been a member of this body and of its Committee on Foreign Relations. I shall take up our record in each of the fields mentioned, and in others as well. I shall discuss those questions in a nonpartisan

spirit. I am fully aware that ever since 1899 our foreign policy has been a severance from the traditional policy which was inaugurated by President Monroe and followed down to that time. That traditional policy has been violated not only by Republicans but by Democrats as well. So I wish to assure Senators that I shall try to discuss those matters objectively. At some future time I shall go further back into history than I expect to go today, because we are confronted now with certain problems in connection with the war.

This afternoon, I propose to discuss the proposition that Mr. Roosevelt's experience and his knowledge of foreign affairs, and his skill in handling foreign policy, make his indefinite tenure of office indispensable. What I am going to say is submitted in order to get the real issue squarely before this body, where some grave decisions will have to be made within the next year or two.

There is one feature of this war which makes it unique in history. The states with which we are at war have achieved their military might and force only since 1933. Twelve years ago, Europe was at peace. Germany was not a military power in any sense of the word. German armament was still restricted, and German armies were no overpowering threat to her neighbors. Economic unrest and unemployment disturbed Europe, but the menace of war was remote.

There was war in Asia. Japan had commenced her seizure of Manchuria within a few weeks of the suspension of convertibility of the pound sterling by the Bank of England in September 1931. Japanese aggression on the mainland was still in progress when the great year 1933 began. But Japanese military resources were as yet limited. The mineral resources of the mainland had not been organized. Doubtless the plans existed in the files of the Japanese Army and Navy staffs for the upbuilding of a great military establishment. Such plans exist in the files of nearly all such staffs. But, in Japan's case, their realization called for the importation of vast quantities of petroleum, iron ore, scrap iron and steel, and many other commodities, and their fabrication. The funds to buy these things had to be earned by extensive trade, liberal credit, and over a long period. In 1932, Japanese conditions were anything but favorable to large-scale importation of expensive raw materials from abroad. Japan had no exchange.

In order to show the state of the economy of Japan in 1932, I quote from Ambassador Joseph Grew's report to the Secretary of State, August 13, 1932, published by the Department of State, in War and Peace, page 174:

The internal economic and financial situation in Japan is serious and may become desperate. The plight of the farmers is very bad, many industries are at low ebb, unemployment steadily increasing. Money cannot be obtained from abroad. It will become increasingly difficult to obtain domestic loans. Meantime, millions of yen are being squandered to support the Manchurian venture, of which the eventual economic advantage is highly problematical; and when the full purport of these expenses becomes known to

the people, in their own serious deprivation, there is no telling what effect it will create.

At the end of 1932 Japan was a third-rate power, hampered by economic distress, barely able to carry on her predatory operations on the mainland in a limited and intermittent fashion. Germany was undergoing a severe depression, with political agitation seething month in and month out. War on a great scale existed nowhere, not even in east Asia.

A conference for the economic pacification of Europe was soon to be held in London. The mistakes of a dozen years were to be reviewed by responsible men, disposed to cooperate in repairing the damage. Economic balance was to be restored to Europe, to the whole world. The limitation of armament, discussed in halting and distrustful fashion during the preceding 4 or 5 years, was to be taken up resolutely and frankly.

I do not expect this afternoon to review the Life and Adventures of the London Economic Conference of 1933, which I prefer to take up on another occasion in connection with monetary policy, stabilization funds, and similar aspects of our foreign economic policy. I merely call attention to the fact that in the first half of 1933 the chief aspect of the world's affairs which interested the people of all countries was economic, and they were all looking forward to a great advance in the process of getting rid of the worst of the many burdens left by the war which ended in 1918.

At the beginning of 1932 the United States was the most important economic and financial power on the face of the earth. It is true that we were hard-pressed by widespread destitution and lack of employment. These things were deplorable, but they were the result of internal factors in sharp conflict with each other. The depression which came at about that time was an aftermath of the financing of World War and the production incident to the World War, and it came as a climax to bad policies which had been pursued. Compared to the rest of the world, the United States was the foremost financial power. Our economic policies, as to tariffs, wage levels, immigration, and credit, affected every country in the world. No country could move very far in any direction 11 or 12 years ago without considering how far its action would be affected by the policies of the United States. It would be natural to suppose that this great financial and economic power would be used to assure world peace. It would be equally natural to suppose that the mighty leverage of the war debts of 1917-19 would be used to enforce world-wide limitation of armament. When Mr. Roosevelt entered upon his duties, the United States, as the world's chief creditor and one of its principal suppliers, was in a position to see to it that no unbridled militarism should becloud the horizon during the period of economic reconstruction at home and abroad.

Yet, in just the following half-dozen years the remilitarization of Germany took place. In precisely the same period, from 1933 to 1939, Japan emerged from

her desperate straits of 1932 to become the war lord of greater East Asia. Where was the vast experience, and knowledge of foreign affairs, and skill in handling them, of Mr. Roosevelt while all this was going on? What, concretely, did we do to help or hinder this sudden conversion of a nightmare into a hideous reality?

Mr. Roosevelt's policies have been of great importance in the terrible changes that have come over the world since 1932. The diplomacy of the United States, the greatest economic and financial power on the face of the earth, has had decisive influence both in European and Asiatic affairs, in one development after another. Mr. Roosevelt's declaration of June 15, his "great design," as revealed in the articles by Forrest Davis—Saturday Evening Post of May 13 and 20, 1944—and the several statements which have been given out in connection with the security conference at Dumbarton Oaks make it clear beyond question that he expects to continue and increase his influence, as one of a council of three men who are to dominate the world. In the "pursuit of peace"—if I may quote his expression—we are expected to rely primarily upon the armed forces of a world council dominated by the spokesmen of three great powers.

Mr. Roosevelt's conversion to this idea is quite remarkable, when we consider how greatly he contributed to the breaking up of the world organization which existed in 1932, in which Britain and France played leading roles. I am not here today to defend the League of Nations. But we must bear in mind that the League and its World Council were devoted to the aims which Roosevelt now avows—at least it was so stated and avowed at the time—namely, the international organization of security, with powers that could be effectively used against an aggressor if the dominant powers in its Council should agree to such use. But when Mr. Roosevelt campaigned for the Presidency of the United States for the first time, in 1932, he came out emphatically against the League of Nations—this world organization within which larger nations were supposed to work absolutely in unison in preventing war.

In this case I want to give Mr. Roosevelt such credit as is due him for keeping this particular promise. He did oppose the League of Nations. And so tremendous was the weight of the United States in world affairs that his election in 1932 had immediate repercussions everywhere. It was accepted everywhere as assurance that the American Government would not support the League in international affairs. Even before he took office the chancelleries of the world were figuring the possibilities of this anti-League attitude. The German Reichswehr made their deal with Hitler, who became Chancellor. A few months later, Germany left the League of Nations when that body declined to acquiesce in Hitler's remilitarizing of Germany. The Japanese, resentful of the League's condemnation of Japan's brutal aggressions in China, and now assured that the American Government would not side with the League,

also withdrew from the organization. Nothing but a shell was left of this attempt at international organization.

But Mr. Roosevelt's notable reversal of policies with regard to world organization during the past 12 years is only one of many serious moves and reversals. I call attention to a speech by Robert A. Lovett, Assistant Secretary of War for Air, before the wartime conference of the National Association of Broadcasters, at Chicago, on August 29:

We must know by now what it means to mankind to allow gangsters to build up and command a modern air force. This has provided us with the costliest education in all history.

What Mr. Lovett says of air force is equally applicable to naval and land force. Why did the coalition government in England sit quietly by, refusing to join France and Italy when those powers sought to compel Germany, by force if necessary, to desist from rearmament? Why did the coalition government of England hasten to make a naval agreement with Germany which put the seal of respectability upon everything the German Government was doing? No "quarantine speech" was made in June 1935, nor made at all until 28 months later, just at the time when another Prime Minister in England was undertaking to repair the mischief his predecessors had caused, by reconstructing Anglo-Franco-Italian unity with respect to Germany. Our Secretary of State solemnly upbraided the downtrodden and terrorized Austrians the other day for not rising before now against their Nazi tyrants. This utterance is almost fantastic when we recall that not one word was publicly uttered by this same official or his chief when Nazi gangsters murdered the Austrian Prime Minister in 1934, or when they kidnaped his successor 4 years later, in outrageous violation of all the laws of nations. Even if the Austrians had the means to start an insurrection, what help could they reasonably expect from the United States, which was one of the first powers to recognize formally the extinction of Austrian independence, and to accept the incorporation of Austria in greater Germany? Did Mr. Roosevelt or his Secretary of State lift a finger to influence Great Britain's policy on the Continent while Mr. MacDonald, Sir John Simon, Lord Baldwin, and Sir Samuel Hoare were running British foreign policy? Is there any sign that the immense financial and economic power of the United States was used in any way to head off the ruinous race of rearmament and war?

When, in consequence of personal intrigue, Sir Samuel Hoare was forced from office, and Mr. Eden replaced him, did our influence with the British Government contribute to bring about peace on the Continent? Were we pulling wires to make certain that the new Prime Minister, Mr. Chamberlain, should not work out arrangements for a common policy between Great Britain, France, and Italy? From the autumn of 1937 on, an increasing influence in shaping the policy of Britain was exerted by Mr. Roosevelt, through official, unofficial, and

personal channels, British and American. Was it directed to check the militarists and imperialists of Berlin?

These are questions which historians will one day answer. I am convinced that their unanimous verdict will place the great responsibility for the unrestrained rise of German military power upon at least one man whose experience, knowledge, and skill are now represented to his fellow citizens as indispensable to their salvation. All the warnings were disregarded. Military observers furnished reports which were scoffed at, or, at best, filed away. George Messersmith, now Ambassador in Mexico, was Consul General in Berlin in 1933. Here is what he reported on June 26, 1933, as published in the Department's Peace and War monograph:

The Department must be exceedingly careful in its dealings with Germany as long as the present Government is in power as it has no spokesman who can really be depended upon and those who hold the highest positions are capable of actions which really outlaw them from ordinary intercourse.

What they want to do, however, definitely is to make Germany the most capable instrument of war that there has ever existed. . . . If this Government remains in power for another year and carries on in the same measure in this direction, it will go far toward making Germany a danger to world peace for years to come. . . . What I do want to say really is that for the present this country is headed in directions which can only carry ruin to it and will create a situation here dangerous to world peace.

So our State Department knew these things in 1933. The French Government also knew them, as well as the British Government and every other government. Continuation of such restrictions as still existed on German armaments would not require our going to war. It meant merely our continued diplomatic cooperation with the French Republic and with other free peoples who saw the urgent necessity of continuing the Versailles restrictions. The only civilized and sane alternative to cooperation with them was to withdraw altogether from the situation, and let them take care of it themselves, which they were still in a position to do. It was certain that Germany, with a population and resources twice those of France, would launch a new war against France as soon as she was strong enough. Hitler was already mobilizing and drilling his military formations. He had declared openly, in *Mein Kampf*, his intention of crushing France, and his desire for cooperation with Britain and Italy in this and other aggressions.

How did the Nazis gain the power to crush France, as they did for the past 4 years? What prevented the French and their allies from maintaining in 1933 the restrictions which kept the murderous brutality of the Nazis confined within the borders of Germany? Who was it who befriended the Nazis and opposed the French Republic in those critical years?

These questions are answered in the record of the Disarmament Conference of 1933. The American and British Governments flatly refused to cooperate with the French Government in the continua-

tion of restrictions on German armaments. The late Norman Davis, chairman of President Roosevelt's delegation to the Disarmament Conference, took the position that one of the "main obstacles to disarmament" was the "apprehension that Germany proposed to rearm." At a time when Chancellor Hitler was flatly declaring his intention of rearming Germany and already drilling and regimenting the youth of Germany, the American delegate declared that this was an unfortunate "apprehension." And he proposed, formally, that "the military strength of the most heavily armed nations"—by which he meant, as he made clear, the defensive forces of the French Republic and its allies—should be "progressively reduced." He even found "most helpful" Hitler's furious speech before the Reichstag declaring that Germany would no longer sign agreements continuing such limitations as remained on German armaments.

I want to read one short paragraph from his address to that Conference. He said:

A few days ago the Conference met a serious obstacle to further progress in its detailed examination of the British plan. Since then there has been an appreciable change. The recent speech by the German Chancellor before the Reichstag clarifying the German attitude and policy with regard to disarmament and endorsing the proposal of President Roosevelt has been most helpful. This, and also the subsequent announcement made here by our colleague, Herr Nadojny, of Germany's acceptance of the British plan as the basis of the future convention, have so altered the situation as to justify us in assuming that we can now resume our consideration of this plan with real hope of agreement.

But they did not come to an agreement.

The entire diplomatic and moral strength of the American Government, Mr. President, was thrown against the French Republic, and on behalf of the remilitarization of Germany by Hitler and his gangsters. The British Government, abandoning the stand it had taken only 3 months previously, alined itself with the American Government. It was this situation which enabled Hitler, on October 14, 1933, to announce Germany's withdrawal from the Disarmament Conference, and also from the League of Nations. The French, Czech, and other governments insisted that the conference continue. But the American and British Governments desired that it should adjourn, to give Hitler an opportunity "to reconsider." Which meant, in effect, to give him a free hand to carry on his remilitarization of Germany—which he did.

For almost 3 years, Mr. President, we have been fighting to crush Germany, to put her back in the position of 1932, before Mr. Roosevelt became President of the United States and Adolf Hitler became Chancellor of Germany. Germany was militarily weak, and also disarmed, then. Why was she not kept that way? Why do we have to give the lives of our sons to put Germany back in the position she occupied before Mr. Roosevelt became President of the United States, and began to exercise his influence in world affairs?

What was the record of the Roosevelt administration on the other side of the world—the side from which we were attacked? How were the Japanese able to climb out of the desperate situation which Mr. Grew described as of 1932? Where did they get the military and industrial equipment, the scrap iron and the fuel oil and the other things they need in order to build up their military machine and to carry on their brutal wars of aggression? How was it that the Japanese were able to charter American oil tankers to take fuel oil to crush the desperately fighting forces of the Chinese into mangled flesh and submission, and to build up adequate stock piles to bomb us at Pearl Harbor?

We know where they got these things. The United States was their main supplier. For years, there was a neutrality act in effect, passed by the Congress of the United States, authorizing an embargo on the sale of war materials to belligerent countries. But this was never applied to Japan. We were told that they had not declared war upon China. Japan, sensing the desire of Mr. Roosevelt to evade the Neutrality Act, did not declare war. So the Neutrality Act remained a dead letter, and the President never saw fit to declare a state of war to exist in Asia, although hundreds of thousands of soldiers were fighting there year after year. Even the British were appalled by this fantastic situation.

In a very real sense, Mr. President, the United States subsidized Japanese rearmament. It is just as real a subsidy as the lend-lease formula later developed for Great Britain, Russia, China, and a dozen other countries. The United States adopted in 1933 a policy of revaluation which I shall discuss in greater detail on another occasion. This policy involved the purchase of gold and of silver at prices substantially above those in effect when Mr. Roosevelt took office.

We bought 509,429,943 ounces of gold from foreign countries from January 1, 1934, to December 31, 1941, and 2,047,039,000 ounces of silver from June 17, 1934, to April 18, 1942. For all the gold we acquired from abroad, we paid \$17,830,048,000, which huge sum exceeded what we would have paid if the mint price of gold had remained at \$20.67 per ounce, in the sum of \$7,300,131,079. That is, we paid a bonus to foreign countries of \$7,300,131,079 in purchasing the gold the value of which we had raised 69 percent.

We paid \$1,020,000,000 for the silver, at an average cost of about 50 cents per ounce. We paid to Japan \$711,000,000 for such gold as we purchased from her, which included a bonus of \$291,283,804. That included gold we bought from Japan which she stole from China and Manchuria. That is what is shown from the record of the Treasury as given to me. However, the sale of gold through London and Canada is so overwhelming that I cannot believe but that a great deal of Japanese gold went to Canada from Japan and also went to London, the great metal market of the world, from Japan.

But this much we do know, that we paid \$711,000,000 for gold so as to give Japan exchange with which to build up

her armaments. That is a minimum figure; undoubtedly, Japanese profits were enhanced by participation in the Chinese sales, and other Asiatic sales in which Japanese financial and political intervention could occur. The Chinese could not sell for a long time. They had little gold and much silver. We would not buy from China direct for a long time. The sales were made particularly through London. Certainly our immense purchases of silver from London were in part on Japanese account. We paid about \$302,000,000, at about 61 cents per ounce, to London for 493,000,000 ounces of silver, and to China direct, \$220,000,000 for 502,000,000 ounces. I think it reasonable and even conservative to estimate that, through gold and silver alone, we put over \$1,000,000,000 of purchasing power at the disposal of Japan between 1934 and the middle of 1941; and much of this was actually a gratuity, in the form of the increased price of gold and silver. Of course, the Japanese derived other billions of dollars of purchasing power through their sales of commodities and services to our people. And most of this purchasing power went into the purchase of equipment, technical installations, scrap metal, oil, and numerous other materials essential to military preparation on a great scale.

The silver problem was of such importance that, in this connection, it is in order to quote from the work of a responsible authority, Mr. Harry Paxton Howard, one of the economists consulted by Mr. Roosevelt's personal envoy, Professor Rogers, when the latter looked into the situation in China in 1934. In his book, *America's Role in Asia*, Mr. Howard says certain things which I wish to read:

Most of the silver bought by the American Government has been acquired from China—much of it via London. The United States Treasury has paid out more than \$1,000,000,000 for foreign silver (mostly from China), and only about one-fifth of this amount for American-mined silver. . . . They have drained China of its monetary silver, and made its Government our financial dependency. During the first year their ruinous effect upon China's economy faced the Chinese with desperate alternatives: financial subjection to the United States, or military subjection to Japan. . . .

Our subsidies were at first mainly to the British, who shipped the silver out of China: we refused to buy from the Chinese direct. . . . Silver was the main commercial currency of China. Early in 1933 the white metal was worth about 26 cents an ounce; we started buying it abroad in 1934 at 64½ cents an ounce. It was rich business for British silver dealers, but China was faced with disastrous deflation and a ruinous drop in prices. Nanking tried to meet the grave internal situation by an export duty and equalization charge on silver, and severe penalties for smuggling, but it had no control over the British and other nationals with extraterritorial privileges, who openly shipped Chinese silver out of Shanghai and other ports. . . . Until December 1935 our Government patronized this foreign smuggling by even greater purchases of the silver. . . .

By the latter months of 1935 the Japanese were smuggling out more silver than were the British. This new business was a veritable windfall to the Japanese, whose internal economy was heavily strained by the

big costs of the Manchurian occupation, and the military industrialization of the subject country. The Japanese obtained some \$50,000,000 of our subsidies, enabling them to increase their expenditures on Manchuria and on other military (and naval) requirements, and to increase their purchases of military and industrial requirements from the United States—while reducing their issues of domestic loans.

That was how the Japanese militarists pulled out of the serious economic difficulties that resulted from their bloody and costly adventures in China.

More than \$700,000,000 in gold was dumped here. Japan has little gold. She stole it in China. She stole the gold out of Manchuria, which she had taken from China.

The United States Treasury pulled them out, and did not even call it "Lend-Lease." The Treasury paid an inflated price for the gold stolen from Chinese Manchuria, and for the silver they smuggled out of China. And we shoveled out military and industrial equipment to them in ever greater quantities. Japan could not have paid for it. We paid for it by financing, and by bonuses in the sale of stolen metals, and of course, by buying heavily of her commodities to give her more exchange. But this gold must be paid for. The American taxpayers will get the final bill, but since debts which they owe themselves do not really count for anything, we are told that the matter is of small consequence.

What I have said relates only to gold and silver purchases. I have already explained both. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks certain tables which I obtained from the Treasury Department relating to purchases of silver and gold from all the countries of the world and showing also the total amount which we paid in premiums or bonuses.

The PRESIDING OFFICER. Without objection, the tables may be printed in the RECORD.

(See exhibit A.)

Mr. SHIPSTEAD. What the administration did in the Far East was of even more direct consequence than what it did in Europe. For generations, the United States has been the economic lifeline of Japan. It was the biggest purchaser of Japanese goods. Under this administration we were the economic basis and backbone of Japanese military and naval expansion. Mr. Grew has pointed out in his recent book, *Ten Years in Japan*, how completely Japanese economic life became paralyzed when we launched economic war against Japan 3 years ago—after the Japanese committed the "unforgivable crime" of moving in a white man's colony, French Indochina. But that economic action in 1941 was extremely late, if we did not want war. Why did the administration wait until then? Already in 1932, Japanese economic life was in terrible distress. Why did the administration build up Japanese militarism until the summer of 1941, and then completely reverse its policy?

Down to 1940-41, we were steadily building up and strengthening the German and Japanese militarists. The German armed forces had grown from moderate levels up to the most powerful

fighting machine of any single nation on the face of the earth. The Japanese had grown from a second-rate power to a first-rate military state, successfully exploiting Chinese Manchuria, dominating the China coast, and with naval bases clear down to French Indochina.

I shall not today go into detail as to our Government's reversal of its previous policies in 1940-41. In September 1940 it concluded what was in effect an Anglo-American entente, supplying the British with destroyers and tankers for use in the war. The British gave us the use of naval bases to enable us to assist them, and—of much greater importance—agreed to reopen the route through Burma, then a British colony, to American shipments of war materials to the Chinese Government. The British action regarding Burma meant that they were subordinating their Far Eastern policy to that of the American Government, in the areas east of India.

As a matter of fact, when we went through Burma into China we undertook to fight a war in defense of China, against Japan, and at the same time we were supplying both China and Japan with war materials.

Mr. President, I shall not today analyze the immediate antecedents to the declarations of war in 1941. Secretary Hull's own statement 10 days after the Japanese attack upon Pearl Harbor that he "felt sure that the reply of Tokyo to the proposals of November 26 would be an expansion of the war somewhere in the Pacific area at the first moment that appeared to be propitious," and that he "issued a private warning to his associates to look for it at any time," shows the real significance of the American note to Japan of November 26, 1941, to which the attack upon Pearl Harbor was the Japanese reply.

I shall not now take up time by discussing that note of November 26 and the previous measures taking us steadily into war with Japan as well as Germany. But it is of deep importance that we realize that if these policies were justifiable and right, as some of my colleagues believe, then the entire foreign policy of the administration down to 1940 was utterly and completely wrong. The pre-1940 policies and the post-1940 policies cannot both be right, but they might both be wrong.

So we went to war against two great powers which had become great powers in the course of the previous 9 years with the diplomatic, financial, and economic assistance of the United States. This is something new in history. If the administration really knew what it was doing all that time, if it possessed the wisdom and foresight which it claims to possess, the only rational conclusion is that it was building up our enemies so it could have a "good long war" which is what we have now. That is a conclusion which surely no one can wish to believe.

Of course, none of us will believe anything of that kind, but that was the effect.

I have spoken of the remarkable shifts and turns and reversals of American Government policy during the 12 years of the present administration. There was

the building up of Nazi Germany and militarist Japan to the position of great powers, then the switch-over to the other side and the building up of the Stalinist Union against Germany—and against all eastern Europe, and possibly against China. We have seen support to Japanese militarism supplemented and then replaced by support to Chinese militarists, though these latter may now be turned over, like the Poles and Finns, and Balkan peoples, to the tender mercies of Marshal Stalin. We may yet see Moscow dominant in western China as in eastern Europe. What a reward to China for having fought the Japanese, always with our encouragement, for 7 years.

Mr. President, the record of this administration in world affairs will be its own everlasting judgment.

It was said proudly of the Emperor Augustus that he found Rome a city of brick, and left it a city of marble.

I am inclined to think that the opinion of a fair proportion of posterity about Mr. Roosevelt will be to the effect that he found the world in grave economic distress, trying to recover from the consequences of the war of 1914-1918, and that he left it in total war, with 50,000,000 men and women in uniform.

The people who sent us here assume that we will tear away the veil of secrecy from these international political agreements that have been discussed and even put into effect in some instances. It is we in Congress, not the motley horde of subordinate officials, whom the people of this Nation will condemn for our inaction in allowing the foreign affairs of this country to be handled as they have been handled for the last 12 years.

#### EXHIBIT A

Foreign silver acquired from June 17, 1934, to Apr. 18, 1942, under the Silver Purchase Act of 1934

Origin	Fine ounces	Cost	Average cost per ounce (cents)
China.....	502,297,000	\$220,142,000	43.8
Japan.....	2,875,000	1,017,000	35.4
Great Britain.....	492,798,000	301,917,000	61.3
India.....	3,687,000	1,961,000	53.2
Total (all countries, including above).....	2,047,039,000	1,020,722,000	49.9

Highest price paid for silver under this program was 76.55 cents per fine ounce on Apr. 25, 1935.  
Lowest price paid for silver under this arrangement, 35.062 cents in 1941.

Figures showing net gold imports (at \$35 per fine ounce) from Jan. 1, 1934, to Dec. 31, 1941 (latest date on which the Government has released any import figures)

Origin	Fine ounces	Cost
China and Hong Kong.....	1,550,700	\$54,275,000
Japan.....	20,326,860	711,440,000
Great Britain.....	158,771,228	5,556,993,000
Canada.....	128,623,771	4,501,832,000
India.....	11,919,314	417,176,000
Total (all countries, including the above as well as others not named).....	509,420,943	17,830,048,000

The lowest price paid by Treasury for foreign silver from 1934 to date, 35.062 cents per fine ounce, in 1941.

Highest price paid by the Treasury during that entire period, 76.53 cents per fine ounce, in 1935.

Premium: Difference between the old gold price of \$20.67 per fine ounce and the new price of \$35 per fine ounce.

	Premium
China.....	\$21,222,031
Japan.....	291,283,804
Great Britain.....	2,275,191,718
Canada.....	1,843,116,654
India.....	170,803,780

Total premium for all countries (including the above and all other imports), \$7,300,131,079.

This is calculated on the basis of the net number of ounces that have been imported and multiplied by the old price of \$20.67, and deducting that amount from the total cost, which is shown at \$35.

Mr. BALL obtained the floor.

Mr. HATCH. Mr. President, will the Senator yield to me for a moment?

Mr. BALL. I yield.

Mr. HATCH. I desire at this time to read an article, and I wish to have the senior Senator from Minnesota [Mr. SHIPSTEAD], particularly, listen to what I am about to read. I have in mind the speech the Senator has just made, and I also have in mind very vividly the speeches I heard the Senator make on foreign policies and affairs throughout the years preceding our entry into the war. I happened to pick up this article by the columnist Mark Sullivan. It is entitled "Will Our Mood Last?" I wish to read it, for every Senator who asks questions such as have been asked today to pause and consider:

#### THE PUBLIC AND PEACE

(By Mark Sullivan)

#### WILL OUR MOOD LAST?

Merely as a convenient way of expressing an idea simply, I address this to the American people.

You earnestly wish to prevent war in future. Your Government shares the wish. It is painstakingly busy to accomplish this end by a covenant with other governments, setting up an international organization for preserving peace, for preventing any future aggressions by any war-making nation.

You, the American people, feel that this organization will accomplish the result. And perhaps it will—provided it is accompanied by something else.

But you tend to think that the covenant alone will do the work; that once the covenant is made, and the international organization set up, perpetual peace will be assured. In thus thinking, you run the risk of relying wholly on a mechanism, a ritual. Almost you are in the mood of supposing that once the covenant is adopted and the ritual subscribed to, nothing else need be done—that thereafter you can go your peaceful ways serene in confidence that any future aggression will be stopped before it gets under way.

This is your present mood. But I ask you to recall what was your mood in the summer of 1939, when the present aggression by Germany was getting under way? Were you at that time willing that your Government should join other nations in resisting that aggression? You were not. On the contrary you preferred to believe Senator Borah, who assured you there would not be any war. Your mood, far from being one of urging your Government to help prevent war, was rather one of, so to speak, aggressive neutrality.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. SHIPSTEAD. The Senator has referred to certain statements I made. Was the Senator referring to statements I made in 1939?

Mr. HATCH. Mr. President, I have been reading a column addressed to the American people by Mark Sullivan, but I am asking the Senator to answer the questions from his own mind, from his own speeches, and from his own conduct on the floor of the Senate during that period of time.

Mr. SHIPSTEAD. Ever since the last war I had feared that we were on the road to another war, coming as a result of the treaty of peace after the last war, and I so stated, and I never retracted that statement.

In 1938 I returned from a trip to Europe. While I was abroad I wrote a letter to an editor friend of mine, and in it I said:

I do not think there will be a war this year, but I have all the time felt that there was a danger, because of our diplomacy, not only that of this administration but that of previous ones, that we will be led into a world war because of the international tie-up and the secret policies which we have undertaken from time to time, ever since 1898, down to 1906, when we interfered with the Moroccan question and the balance of power in Europe and down to the last war. With the possible exception of President Coolidge, that has been our policy of international politics.

Mr. HATCH. Mr. President, I continue to read the article, which I am anxious to finish quickly, so that the junior Senator from Minnesota [Mr. BALL] may proceed. But I want these questions to sink deeply into the minds of all Senators. The article continues as follows:

You preferred to believe there was not going to be any war, and if there was to be one, you were determined to stay out of it.

Recall further your mood in the summer of 1940. By that time Germany's aggression was under way—she had conquered several countries, and only Britain stood against her.

Were you at that time willing to help Britain, with force, to resist Germany? You were not. You were hardly willing to help her even with a transfer to her—not as a gift but for compensation—of 50 old destroyers and other obsolete military material.

There was good reason to believe that the man who was President of the country at that time thought we should help Britain. But so strong was your opposition that he did not dare act nor even say that we ought to.

Mr. SHIPSTEAD. Mr. President, will the Senator yield for an answer to the questions?

Mr. HATCH. I must defer to the wishes of the junior Senator from Minnesota, who has the floor, and has kindly yielded to me.

Mr. SHIPSTEAD. The Senator has been asking me a question. I will answer that question by saying that in 1940 we did not suspect at that time the secret commitments the President had already made to foreign countries.

Mr. HATCH. The Senator has fully answered these questions in his speeches upon the floor of the Senate, access to some of which I have just had.

Mr. SHIPSTEAD. They are very good ones, too.

Mr. HATCH. I will proceed with the reading of the article:

He happened at that time to be running for reelection, and in that position was peculiarly subject to the mood of the people, had to defer to them. So much so, that throughout his campaign he felt again and again obliged to say that we would not send our boys to fight abroad, that we would not join Britain in resisting the aggression of Germany.

Mr. SHIPSTEAD. Whom is the Senator now quoting?

Mr. HATCH. I am still reading the column by Mr. Mark Sullivan.

Mr. SHIPSTEAD. The Senator is not quoting either the President or me; is he?

Mr. HATCH. Oh, no; I have not attempted to do so.

Mr. SHIPSTEAD. Very well.

Mr. HATCH. The article continues:

Now turn to the future. Some time there will be another threat of aggression by some nation. We will have, we expect, a covenant to stop the aggression. But no covenant can operate automatically. It must be started by human hands, and the human hands will include whoever is at the time our President.

I, too, say "our President," whether he be Republican or Democrat.

I continue to read from the article:

He will have power to decide whether he do or do not join in resisting the aggression. Only by an affirmative act on the part of our Government at the time can we assent to a decision that the aggression should be resisted, and assent to the use of our armed forces to help.

Our Government at that time will be as subject to the mood of our people as it was subject to their mood in 1940. It will at all times be an elected Government, and subject to defeat or victory in a future election. There may be an election pending in the very year in which the aggression comes and the test is presented, as there was in 1940.

Can you, the American people, promise that in the future condition your mood will be one of support for a government that wishes to help prevent aggression?

I close with some words by a writer in the Baltimore Sun, Mr. Newton Aiken: " \* \* \* Covenants will afford no safeguard. \* \* \* What is important \* \* \* is the mood of determination [of] public officials and [of] people from whom they derive their powers. \* \* \* Eternal vigilance is as thoroughly the price of peace as it is of liberty."

Mr. President, my only purpose in interrupting the junior Senator from Minnesota, to whom I now relinquish the floor, was to read the article into the Record, not with any invidious reflection upon any Senator who might have adopted a course which he thought to be correct at that time but because I resented, and I shall continue to resent, any statement on the floor of the Senate by any Senator who says that the President of the United States is responsible for the might and power of the German military machine, and likewise responsible for this war, as I interpreted the remarks of the senior Senator from Minnesota.

Mr. President, I merely wish to add that the responsibility of this war is heavy and terrible upon all of us, and

it behooves none of us to try to fix the blame or the responsibility upon others. My sole thought at this date, my sole hope at this hour, is that we may turn our backs on the past; not criticize or find fault with each other from political, partisan, or any other motives, but from this date look forward, and be eternally sure that the Senator from Minnesota, and I, from New Mexico, and all other Senators, with the heavy responsibility which will be ours within the next few months, shall discharge that responsibility in the light of conditions as they then exist, and not stand here and find fault.

I thank the Senator from Minnesota for yielding to me.

Mr. SHIPSTEAD. I merely wish to say we cannot forget the past. We must know the past in order to prepare and act in the future. Cicero said, in effect, that not to know what happened before one was born was always to remain a child. We can only judge the future and be guided in the future by an understanding of the past. I do not mean to refer only to the past 10 years of President Roosevelt's administration. I refer to the mistakes of the Republican administrations in respect to foreign policy, and I intend with full vigor to debate them in the future just as vehemently as I shall debate the mistakes of what I consider to be the Democratic administration. The Senate knows that I never take a partisan view; at least I try not to do so. I sometimes vote for a Republican measure and sometimes for a Democratic measure. When a Republican Senator sponsors a measure I sometimes vote for it. When a Democratic Senator sponsors a measure I sometimes vote for it. I believe that, in such a position, it is beyond the privilege of anyone to accuse a Senator of partisanship. So long as he maintains respect for the oath which he took as a Senator, he has the right to vote and speak according to his judgment.

Mr. WHEELER. Mr. President, will the Senator yield? I do not wish to make a speech.

The PRESIDING OFFICER. The junior Senator from Minnesota has the floor. Does he yield to the Senator from Montana?

Mr. BALL. I am sorry, but I cannot yield any further.

Mr. WHEELER. Mr. President, I merely wish to make one statement.

Mr. BALL. Mr. President, I have the floor.

Mr. WHEELER. Does the Senator from Minnesota refuse to yield to me in order that I may make a statement?

Mr. BALL. How long will the Senator take?

Mr. WHEELER. Only 2 minutes.

Mr. BALL. Very well.

Mr. WHEELER. I should like to have the opportunity of asking the Senator from New Mexico what would be his mood under certain conditions arising as the result of the war, but I do not wish to take time of the junior Senator from Minnesota. However, at a future date, and I hope before Congress takes a recess, I shall answer some of the statements which have been made on the floor

of the Senate by the Senator from New Mexico.

#### THE DUMBARTON OAKS CONFERENCE

Mr. BALL. Mr. President, it is my purpose to comment on the Dumbarton Oaks Conference. In that conference responsible representatives of the United States, Britain, Russia, and China are trying to hammer out agreements on the basic principles of a world security organization to maintain peace after this war. It is the same general international organization which was envisaged in the Atlantic Charter, the Moscow Agreement, and the Fulbright and Connally resolutions.

Frankly I had hoped that this sort of debate, while this momentous conference was in progress, might have been avoided. It was my conviction, and that of some of my colleagues, that the time for the Senate and the House and the people of America to have made clear and specific their position on the principles of such an organization was many months, even years, ago, and not at the very last moment after international discussions were well under way. Because of that belief I, with other Senators, submitted the so-called B.H. resolution a year ago last March. We discussed the resolution in completely nonpartisan fashion at public meetings throughout the Nation. Later we sought to amend the Connally resolution to make its meaning clearer and more specific. However, the Senate decided otherwise, and the language of the Connally resolution as passed last November is quite general.

As a result the position which the United States Senate will take when the basic instrument for a world security organization is presented to it for ratification remains one of the biggest question marks confronting the statesmen who are working to draft that instrument. The importance of the Senate's position is being underlined daily by discussions and reports in the press and on the radio of the Dumbarton Oaks Conference. A number of Senators have commented, on and off this floor, on reports of what is being done at Dumbarton Oaks. As a result, certain aspects of the proposed international security organization have become issues here in the Senate and in the Nation before agreements on them have been reached or published. It is to three of those particular aspects that I shall devote my comments today.

One of them is the so-called secrecy surrounding the Dumbarton Oaks Conference. Despite all the charges, if one were to judge by the rather detailed reports appearing in the press and aired on this floor as to what is happening at Dumbarton Oaks, the secrecy seems to be more of fancy than of fact.

Nevertheless, the charge that the American doctrine of open covenants among nations openly arrived at is being violated is a serious one and deserves comment. I interpret open covenants openly arrived at to mean that international agreements or treaties shall be negotiated at times and places announced publicly, and when negotiated shall be published so the whole world knows their

contents. The doctrine clearly is aimed primarily at secret treaties between nations, the very existence of which, let alone the terms, is kept from the world and from the peoples concerned.

To term the Dumbarton Oaks Conference a violation of this doctrine and a return to secret diplomacy is unwarranted. If there is anyone in the United States or the world who does not know that the conference is being held, who does not know its specific purposes, and who does not have a very good idea of the type of agreements being reached, it is because he has not bothered to read the newspapers or listen to the radio.

The only way in which the discussions at Dumbarton Oaks could be more in the open would be by having those participating, instead of being diplomats representing sovereign nations, be representatives in the legislature of a world state, conducted as the Senate is conducted, with press, radio, and public galleries. Of course, even then, probably a great deal of the work would be done by committees in executive session, just as it is in this Senate. If any of those who are making such an issue of the Dumbarton Oaks secrecy want to propose that sort of system as an alternative, I can assure them of my sympathetic consideration.

Seriously, the demand that the press and public be invited to listen in on the detailed discussions at Dumbarton Oaks strikes me as not well grounded, growing perhaps out of previous events rather than the present case. I speak as a former newspaperman and as a Senator, from my personal experience in both jobs. Senate committees hold public hearings, but act on legislation—that is, reach some kind of agreement—in secret, executive sessions, from which the press and public are barred. Conference committees of the House and Senate do their work in executive sessions. Why? Because we know that for a majority of 96 Senators and 435 Representatives to reach agreement on any major issue requires inevitably many compromises and adjustments of varying views and convictions. And to require that process—the comments, arguments, and viewpoints expressed during it—to take place in public would make it almost unworkable. Individuals who compromised their views would be involved in endless explanations as to why they yielded, and the very human reluctance to change one's mind in public would add to the difficulties. That situation is greatly intensified in a conference such as that at Dumbarton Oaks, because there national pride and prejudices are involved. Having once taken a strong position on any particular issue, American, British, Russian, or Chinese representatives might find it impossible later on to recede and compromise because of probable political repercussions back home.

I will grant that Members of the Congress, particularly Members of the Senate, are in a somewhat different position from the general public because we eventually must either share or repudiate responsibility for what is agreed upon by our Government at Dumbarton Oaks.

However, I want to pay tribute to Secretary of State Cordell Hull for his untiring efforts both to lift this issue out of partisan politics, in which Governor Dewey happily has joined, and to consult with and keep Congress informed regarding our Government's position. All Senators know of his constant meetings during the past year or more with a bipartisan subcommittee of the Senate Foreign Relations Committee. I know from personal experience that his door is always open to Senators seeking information on foreign policy, because I have many times availed myself of the opportunity to discuss with him American foreign policy and to get answers to specific questions bothering me. I believe, Mr. President, that any Senator seeking information can get it from Secretary Hull if the Secretary possesses the answers.

Mr. President, the second aspect of the Dumbarton Oaks discussion on which I wish to comment is the demand in some quarters that any final action on establishing a world security organization be postponed until after final peace terms are agreed upon. It is coupled, either directly or by implication, with the threat that the United States will not join in efforts to maintain the peace unless we are convinced that the peace is a just one according to our views.

The fact that there are probably 96 different ideas in the United States Senate alone as to what would constitute a just peace which we might agree to underwrite would make that requirement an impossible one for any peace organization to meet. Viewed in the light of history, the Versailles Treaty probably was one of the fairest and mildest peace treaties ever imposed by victors on vanquished. In spite of some mistakes and injustices, it gave the peoples of Europe, as distinguished from their rulers, the best break in history. Yet it was bitterly attacked on the floor of the Senate, and its alleged injustices were one reason we refused to join the League of Nations.

One Senator might demand independence for India as an essential to a just peace. Another might require restoration of all pre-Nazi boundaries in Europe. And still another might view as unjust any peace settlement that failed to provide for United States ownership of scores of military bases throughout the world. Many of us will be inclined to disapprove any substantial failure to apply in the peace settlements the principles of the Atlantic Charter, which in the main are the same as Woodrow Wilson's Fourteen Points. Already there are literally scores of different viewpoints in this country as to what should be done about policing Germany and Japan after the war, about reparations, trial of war criminals and other issues that will arise, to say nothing of the economic and social problems that will face the peace makers.

I cite these points only to indicate the basis for my own conviction that the chances of the peace terms being even reasonably satisfactory to all or even a majority of Americans are very remote. In World War No. 1, a relatively small area of the world was affected; civilian

life, except in Belgium and parts of France, was not greatly disturbed. Yet the hates and fears engendered by that war played major roles in the settlements finally reached at Versailles, and their influence in the main was bad. In this war, the fighting is taking place all over the globe, whole peoples have been enslaved, brutality has reached new and undreamed of depths, and the repercussions on the daily lives of hundreds of millions of people are terrific. Hate, anger, and fear, many times more intense than in 1919, will again sit at the peace table.

The primary agreements in that peace must be hammered out between four great powers, each with its own interests, its own attitudes and goals, and, in addition, the demands of many other peoples must and will be considered before final decisions are made. The United States will not dictate the peace terms. Neither will Russia nor Britain. And in the process of compromise and adjustment, it is inevitable that many agreements will be made which we of America will not like. Probably they will be completely satisfactory to no one, as is usually the case with compromises. While I have confidence in the high purpose of our own Government and those of our allies, I frankly believe that many decisions we might consider mistakes or unjustified departure from principle inevitably will be made.

I believe that a world security organization offering effective means for peaceful change and adjustment of international frictions is our best means of correcting such mistakes at the earliest possible date and correcting them by peaceful procedures and not by war.

But let us assume that we dislike the peace terms intensely. Are we then justified in turning our backs on the world and deciding that we will assume no responsibility for stopping future attempts at aggression, leaving nations no alternative except old-fashioned diplomacy, power politics, or war to adjust their differences? I think not. All of us are agreed that wars, and certainly modern wars, always create more problems than they ever solve. I believe most of us are agreed that another great war will spell the end of our kind of individualistic society. And most of us are on record, including the two great political parties and their candidates, as being convinced that a general international organization, providing peaceful facilities for change and prohibiting attempts at change by war, is the best answer to this great problem facing civilized man. No one can guarantee its success or its complete justice. No one that I know of has attempted to do so. But it offers the best hope for civilization and no alternative plan has even been proposed seriously. To condition America's joining such an organization on complete acceptance of our views regarding peace terms, assuming we could agree on views, would break every pledge given the people of the United States and the world in the Fulbright and Connally resolutions, the MacKinac declaration, and the platforms of both political parties. We do not have

utopia or perfect justice here in the United States. To demand a world utopia as a condition to our participation in an organization created to maintain peace is begging the question and dodging the issue.

It seems to me that fear—fear of nations for their sovereignty, fear of potential aggressors, fear of fatal weakness in case of war—has in the past been one of the greatest forces acting against peace and stability in the world. If, by organizing as soon as possible an effective world security organization, in which nations and peoples can and will have confidence, we can lessen or eliminate the influence of fear psychology at the peace table, we will have done more than any other one thing could accomplish to bring a greater degree of decency and justice into the peace settlements.

Mr. President, the third aspect of the current debate concerning what is being done at Dumbarton Oaks to which I address myself is the question of whether the United States shall pledge itself in advance to do its share to stop future aggressions, by force if necessary, or whether we will insist on a reservation that Congress will decide in each particular instance whether or not we will assume that responsibility.

It is reported—and I do not believe I am revealing any secrets—that under at least one tentative plan being discussed at Dumbarton Oaks, responsibility for action to eliminate threats to world peace would reside in a council of 11 members, 4 representing the United States, Britain, Russia, and China, all having permanent membership, and the other 7 rotating among other nations. Any decision on action, whether imposition of sanctions or use of force against a would-be aggressor, would require a majority vote of the council, which majority would have to include all the permanent members. In other words, any one of the Big Four could veto any action, or any use of its own or other nations' forces by the organization.

Unquestionably, the requirement of unanimity among the Big Four weakens somewhat the effectiveness of the organization. I do not think it is a fatal weakness, because I recognize, as I believe all of us do, that the success of any organization is dependent, for some decades ahead at least, on the continued cooperation of the Big Four. If they fall apart, the organization will fall apart. If one of them decides to embark on world aggression, we will have another world war. So that this provision, in effect, merely recognizes the present-day realities of the world. In any event, should the question of stopping aggression by one of the Big Four ever arise, it would obviously require all-out, total war, and there would be no question whatever about a declaration by Congress, to say nothing of appropriations, being necessary.

The chairman of the Foreign Relations Committee, the distinguished Senator from Texas, indicated the other day that after the general international organization has been established, the council will work out and submit to member nations detailed plans as to the quota of force and

matériel each will be expected to supply to halt aggression in event of a call for such action by the council.

Ruling out the Big Four, and assuming the complete disarmament of Germany and Japan, on which again there is no disagreement, what sort of aggression is the council likely to have to meet? I think there are only two probable sources for such aggression. One threat would be an attempted rearmament by either of the Axis Nations. The other would be an attempt at aggression by one of the several nations which now have governments with clearly Fascist characteristics and tendencies, governments which may remain in power after the defeat of Germany and Japan. In neither instance would the world council require large forces in the sense in which we use the word today, to handle the situation. The maximum quota of the United States, while it would be large as compared to other nations, undoubtedly would be relatively small even as compared to our peacetime forces, and it would be infinitesimal as compared to those we now have.

The question raised here by several Senators is whether even such a United States quota force should be used to stop aggression at the direction of the council, our representative agreeing, unless Congress had formally declared war.

I cannot see how the Constitutional authority of Congress to declare war is concerned in the slightest. The world security organization would not be making war, but preserving the peace. Its whole purpose is to eliminate war from the world, not make it. It appears to me that either under the general welfare or the national defense clause, the Congress has full constitutional authority, in the light of the world situation today, to provide in advance for whatever world policing is considered necessary to prevent another great war.

More important is what would be the effect of such a reservation by the United States on the purpose and possible success of the international security organization. Many factors are involved in achieving and maintaining world peace and stability. There must be the greatest possible degree of justice, liberty, and equality of economic opportunity among nations and peoples. There must be peaceful procedures for settlement of international disputes—the means whereby the inevitable pressures and frictions in a changing world can be relieved and adjusted before they explode into war. But without minimizing in the least the importance of these other factors, the whole house of world security will tumble down if one essential pillar is missing—a strict international law against military aggression and the means to enforce it.

Occasionally there do come to power in nations international gangsters, who are deaf to all pleas of reason and civilization, determined to achieve their goals by force. They are like our habitual criminals, impossible to rehabilitate, and a constant danger to society until they are caught by the police. The world community must be prepared to deal with

these occasional international criminals when they first show their heads, not after they have grown great and strong on conquest and only a world war can stop them. We have learned to our cost that would-be aggressors are not deterred by adverse world opinion, nor can they be appeased into decency and peace. They respect only one argument, force—force which they know can and will be used to stop their depredations.

The certainty that such a force was available and would be used in case of aggression would, in 9 cases out of 10, make its use unnecessary, just as the relative certainty of capture and punishment keeps many persons from committing crimes. Therefore, it is essential that there be no question about the force being available to do the job. How effective would our laws against murder be if we had no police and courts to enforce them? The decent people would obey them, just as the decent nations lived up to the Kellogg-Briand pact, and the murderers would have a field day.

But what if, as some Senators have demanded, the United States, instead of pledging itself clearly in advance to do its share of world policing, says in effect, "We will do our share, but in each individual case the Congress must declare a war before our forces can move"? If we make that kind of a crippling reservation, so will every other nation reserve the right to decide what it will do in each particular case, and we will have no more certainty of international law enforcement than we had in the twenties and thirties. The international organization will be simply a debating society, with no power to act, and future aggressors will sneer at it just as Hitler sneered at the League of Nations.

As a matter of fact, it is extremely unlikely that Congress would ever declare war unless the United States were attacked or our own vital interests clearly threatened by aggression. Congress and the American people regard a declaration of war, and rightly so, as the gravest step the Nation can take. It is extremely doubtful whether we would take that step to help stop an aggression, perhaps on the other side of the world, which had no direct effect on us. Remember that we entered the present war against aggression only after Japan had attacked us at Pearl Harbor and left us no alternative. Our reluctance to go to war was so great that we overlooked repeated insults to American citizens and the sinking of an American gunboat by Japan, to say nothing of hostile acts by Germany. In view of that record, who would argue that there could be any certainty that the United States would do its share of maintaining peace if a declaration of war by Congress were required before we could join other nations in action?

And I wonder if those advancing this reservation have considered what the situation and problem would be if Congress were not in session when an emergency arose. In normal times, Congress is adjourned about half of the year. Would we require the President to call a special session if an international emergency arose during a recess, and how

long would action by Congress take if that were done? And what would the aggressor be doing while we and the international organization delayed action?

But granting for the sake of argument that once undertaking the obligation, Congress was in session and eventually would approve use of our forces in a glaring case of aggression, even though we were not attacked, Mr. President, can anyone who went through the debate prior to Pearl Harbor, who witnessed the depth of America's hatred for war, believe that the necessary declaration of war in such a case, or even a joint resolution authorizing use of our forces, could be passed by Congress in less than a month? There are three individuals in this Senate who could and would stop it for a week at least and we all know it. What then becomes of our pledge? Hitler conquered Poland in 26 days. While Congress debated and other nations waited for us to act, the aggressors would move, their conquests would be made, and the council and we would then face the task of ousting the conqueror instead of stopping his aggression.

Look at it from our own national interest. Suppose there is a clear case of aggression in South America. Obviously, the United States would want it stopped and stopped quickly. If the position on this question taken by some prevails, the United States Congress would have to declare war on the aggressor nation before our forces could act. Under the proposed plan, the international organization would use an international force, of which United States units would be only one of many components, to stop the aggression. There would be no declaration of war, but instead joint international action to preserve peace.

Under which method would we be most likely to retain the good will of our South American neighbors? Senators know the answer. Our individual declaration of war would liquidate the good-neighbor policy overnight, and Congress probably would never make it.

Under one plan, we force each individual nation to declare war in order to preserve peace. Under the other, the world community of nations does a policing job on international outlaws. Which makes better sense and which is most likely to preserve peace?

Mr. President, there seems to be a great fear that the council of the proposed international organization would operate like a great bully, resorting to the use of force indiscriminately and without sufficient justification. I submit that the record of history indicates just the opposite. Responsible leaders of nations, with rare exceptions, have shown the greatest reluctance to resort to force. The League of Nations, for instance, had a terrific time reaching a decision to use even the mild instrument of economic sanctions. There is far greater danger that the council of the proposed organization will be too slow to employ force rather than too hasty.

The Kellogg-Briand pact outlawed war as an instrument of national policy but provided no means of enforcing that international law. It proved to be an empty

gesture. The League of Nations left the decision as to whether force would be used to stop aggression up to each individual nation. It also failed. Millions have died because of those failures.

This time let us keep faith with those who are fighting and dying to make this second chance for a lasting peace possible. Let the United States shoulder, without fear or equivocation, its share of the job of maintaining peace in the world.

Finally, Mr. President, may I humbly plead with my colleagues and the people of America not to judge hastily, not to make irrevocable decisions before the issue is actually before us.

None can tell how many millions of lives yet unborn hang on the decisions we and others with similar responsibilities make in the next few months and years. The robot bombs, the rocket guns, and the superfortresses afford us a slight glimpse of the horror of destruction that will visit this earth in World War No. 3 if it happens.

Both Governor Dewey and Secretary Hull have emphasized that the structure of peace and the machinery to maintain it cannot and will not be the work of any one man or any single nation. Many individuals and many nations must contribute. The inevitable corollary to that approach to this great task is that neither can any individual or nation insist on his or its formula being accepted before putting his shoulder to the wheel.

The agreements being hammered out at Dumbarton Oaks may be far from what I would like had I the chance to write them. But I have had my say long ago. I have exerted whatever small influence I might, and now I shall support the best agreements which can be reached.

Mr. President, it seems to me that for any individual, and particularly one with the responsibility of a United States Senator in this matter, to burn his bridges behind him, to make the flat statement that unless such and such a formula is adopted, he will be unalterably opposed to United States participation in a world security organization, is to grossly distort the major question at issue.

The great question at issue is whether the United States shall reverse the decision it made in 1919 and this time join a world organization having the authority and the force necessary to outlaw aggressive war. Let us not permit some fancied encroachment on the prerogatives of Congress to distract our attention from that major question. Should the United States help preserve peace? It is on the main issue, and not the secondary questions, that we must answer to our own consciences and to posterity. The peace of the world and of these United States, for generations to come, may depend on our answer.

Mr. HATCH. Mr. President, will the Senator yield before he takes his seat?

Mr. BALL. I yield.

Mr. HATCH. The Senator made a statement in closing which prompts me to ask a question. The Senator stated that no one man and no one nation

could build the structure of peace. In substance those were his words. With those words I am in complete agreement. The point I wish to emphasize is this: While no one man and no one nation can build the structure of peace, I ask the Senator from Minnesota whether our Nation can destroy any possible hope of a peace to be built in the future?

Mr. BALL. As I stated a few moments ago, I believe that the whole structure of peace rests on the foundation of continued cooperation among the four great powers which will emerge from this war, namely, the United States, Great Britain, Russia, and China. If any one of those drops out, in my opinion the whole structure will collapse.

Mr. HATCH. To bring the point a little closer to home, is it not entirely possible that a very few men—one-third of the membership of this body plus one—can destroy any hope of peace for the world in the future?

Mr. BALL. Obviously, I think it is possible. I intend to do what I can to prevent it.

Mr. HATCH. Of course, the Senator understands that I was merely trying to emphasize those things of which he has so eloquently and ably spoken, and to bring home to us in this body again the responsibilities which rest upon the shoulders of each and every one of us.

Mr. TAFT. Mr. President, I agree with much of what the Senator from Minnesota has said; but I do not agree that we can make a treaty of peace on the basis of any territorial or national settlement which may be made.

I was somewhat concerned when I read last Thursday of the manner in which we seem to be proceeding in making such settlements. I have before me the text of the armistice terms granted to Rumania. It states that it is an armistice or agreement between Rumania, the U. S. S. R., the United States of America, and Great Britain. It is said to be signed by authority of the governments of the U. S. S. R., the United Kingdom, and the United States, by Malinovsky.

The armistice is not a purely military agreement. In fact, it contains a very important territorial decision, because it states that the Allied Governments consider the decision of the Vienna award as nonexistent, and agree that Transylvania, the whole or major part of it, is to be returned to Rumania, which action is to be confirmed in the course of a peaceful settlement.

Below this text, on the same page, is an interview with Secretary Hull, in which he says, according to the New York Times reporter:

Secretary of State Cordell Hull reserved comment today on the terms of the armistice with Rumania pending study. Some time will be required for the study in view of the length of the terms. They were not received from the American Embassy in Moscow until late in the day.

I presume that Mr. Malinovsky acted under the authority of Averill Harriman, the American Minister to Russia. Apparently we have agreed that Rumania is to have Transylvania, without the Secretary of State even knowing what the terms of the Rumanian armistice are.

That seems to me to be an extraordinary situation, and one which is not calculated to encourage us to believe that we can reach a generally satisfactory agreement on matters dealing with the peace.

I do not know whether Transylvania ought to be attached to Hungary or Rumania, and I do not intend to express any opinion on that subject; but certainly it is an important question. The nationality of that area should be settled in such a way that in the future peace is more likely to occur than war in the Balkans and in the Hungarian plain. It seems to me that the idea that we can proceed with territorial settlements while the Secretary of State does not even know what is being done, is an extraordinary condition which threatens the success of any peace settlement into which we may enter.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the text of the armistice with Rumania and the interview with Secretary Hull, from the New York Times of Thursday, September 14, 1944.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

#### TEXT OF ARMISTICE TERMS GRANTED TO RUMANIA

The Government and High Command of Rumania, recognizing the fact of Rumania's defeat in the war against the Soviet Union, the United Kingdom, the United States, and other United Nations, accepts the terms of armistice presented by the governments of the above-mentioned three Allied Powers, acting in the interests of all the United Nations.

On the basis of the afore-mentioned, the represented of the Allied [Soviet] High Command, Marshal of the Soviet Union Malinovsky, duly authorized by the Governments of the Soviet Union, the United Kingdom, and the United States, acting in the interests of all the United Nations, on one side, and representatives of the Government and High Command of Rumania, Minister of State and Justice Patrascanu, the Deputy Minister of the Interior and aide de camp to His Majesty the King of Rumania, General Damacianu, and Mr. Stirbey and Mr. Popp—on the other side, empowered with the authority, have signed the following terms:

1. From 4 p. m., August 24, 1944, Rumania has completely ceased military operations against the U. S. S. R. in all theaters of war, ceased war against the Allied Nations, broken relations with Germany and her satellites, entered the war and will wage war on the side of the Allied Powers against Germany and Hungary with the aim of restoring her independence and sovereignty, for which purpose she will put in the field not fewer than 12 infantry divisions, with relative replenishments. Military operations of the Rumanian armed forces, including the navy and the air force, against Germany and Hungary will be conducted under the general direction of the Allied [Soviet] High Command.

#### TO INTERN ENEMY CIVILIANS

2. The Government and the High Command of Rumania undertake to carry out measures for disarmament and internment of the armed forces of Germany and Hungary who are on Rumanian territory and also for the internment of civilians of both above-mentioned powers who are living there. (See appendix to par. 2.)

3. The Government and the High Command of Rumania will insure for Soviet and other allied troops means of free movement on Rumanian territory in any direction should this be required by military conditions. In doing

so the Government and the High Command of Rumania will provide every kind of assistance to this movement by their means of communication at their own expense, on land, on sea and in the air. (See appendix to par. 3.)

4. The state frontier between the U. S. S. R. and Rumania established by the Soviet-Rumanian agreement of June 28, 1940, is restored.

5. The Government and the High Command of Rumania will at once hand over to the Allied [Soviet] High Command for repatriation all Soviet and Allied prisoners of war whom they are holding, as well as internees and citizens who have been taken to Rumania by force. From the moment of the signing of the present terms and until their repatriation, the Government and the High Command of Rumania undertake to supply at their own expense to all Soviet and Allied prisoners of war, as well as citizens who had been carried away by force and interned persons who had been transferred and refugees, sufficient food, clothing, and medical attention in accordance with health requirements, as well as with means of transport for repatriation of all these persons.

6. The Rumanian Government will liberate at once all persons, independently of their civil status and nationality, who are kept under arrest owing to their activity to the advantage of the United Nations or for their sympathy with the cause of the United Nations, or owing to their racial origin, and will also abolish all discriminatory legislation and restrictions resulting therefrom.

7. The Government and the High Command of Rumania undertake to deliver as booty at the disposal of the Allied [Soviet] Command all military equipment on Rumanian territory belonging to Germany and her satellites, including vessels of the fleets of Germany and her satellites that are in Rumanian waters.

#### ALIEN PROPERTY CONTROLLED

8. The Government of Rumania and the High Command undertake not to permit the export or expropriation of any sort of property, including valuables and currency belonging to Germany and Hungary or to their citizens or persons living on their territory, or on territories occupied by them, without permission of the Allied [Soviet] High Command. They will keep this property according to rules established by the Allied [Soviet] High Command.

9. The Government and the High Command of Rumania undertake to hand over to the Allied [Soviet] High Command all ships that belong or belonged to the United Nations and that are lying in Rumanian ports, without regard to the fact at whose disposal these ships are destined for use by the Allied [Soviet] High Command for the duration of the war against Germany and Hungary in the common interests of the Allies, with subsequent restitution of these ships to their owners. The Rumanian Government bears full material responsibility for all damage to or destruction of the above-mentioned property until the moment of handing it over to the Allied [Soviet] High Command.

10. The Rumanian Government will be obliged to pay regularly sums of money in Rumanian currency required by the Allied [Soviet] High Command in order to carry out its functions and will also secure in case of need use on Rumanian territory of industrial and transport enterprises, means of communication, power stations, public-utility enterprises and institutions, stocks of fuel, food products, and other materials, and personal services in accordance with instructions issued by the Allied [Soviet] High Command. Rumanian merchant ships that are either in Rumanian or in foreign waters are subject to operative control of the Allied [Soviet] High Command for their use in the

common interests of the Allies. (See appendix to par. 10.)

#### REPARATION PAYMENTS SET

11. Damages caused to the Soviet Union by military operations and occupation of Soviet territory by Rumania will be compensated by Rumania to the Soviet Union. Considering that Rumania has not merely withdrawn from the war, but has declared war and is in fact waging it against Germany and Hungary, the contracting parties agree that compensation for the above-mentioned damages shall not be paid by Rumania in full, but only in part, namely, in the sum of 300,000,000 American dollars, to be paid in the course of 6 years in kind, in oil products, grain, timber, sea and river ships, various machine equipment, and similar products. Rumania will compensate damages caused to property of other Allied countries and to their citizens in Rumania during the war and the sum of compensation will be established later. (See appendix to par. 11.)

12. The Government of Rumania undertakes to return intact to the Soviet High Command all valuable articles and materials that had been removed from its territory during the war and that belong to state, public and cooperative organizations, enterprises, offices, or individual citizens, such as equipment of factories and works, locomotives, railway carriages, tractors, motor vehicles, historic monuments, museum pieces, and all other goods.

13. The Government of Rumania undertakes to reestablish all lawful rights and interests of the Allied Nations and their citizens on Rumanian territory as they existed before the war and also to return intact their property.

14. The Government and the High Command of Rumania undertake to collaborate with the Allied [Soviet] High Command in the task of detention of persons accused of war crimes and in trial of such persons.

15. The Rumanian Government undertakes immediately to disband all pro-Hitlerite political, military, militarized and other organizations of Fascist type on Rumanian territory who are conducting propaganda hostile to the Allied Nations, in particular to the Soviet Union, and not to tolerate the existence of such organizations in the future.

16. Publication, import, and distribution in Rumania of periodical and nonperiodical literature, production of theater plays and films, and the work of the radio stations, of the post, telegraph, and telephone are to be carried out in accordance with an agreement with the Allied [Soviet] High Command. (See appendix to par. 16.)

#### CONTROL BODY SET UP

17. Rumanian civil administration is being reestablished in the whole zone of Rumania not less than 50 to 100 kilometers from the front line according to respective conditions of the terrain. Rumanian administrative bodies undertake to carry out, in the interest of reestablishment of peace and security, instructions and directives of the Allied [Soviet] High Command given to them in order to insure realization of the present terms of armistice.

18. An Allied control commission will be set up that, up to the time of conclusion of peace, will assume the regulating and control of the execution of the present terms under the general guidance of, and according to instructions of, the Allied [Soviet] High Command, acting on behalf of the Allied powers. (See appendix to par. 18.)

19. The Allied Governments consider the decision of the Vienna award as nonexistent and agree that Transylvania, the whole or major part of it, is to be returned to Rumania, which is to be confirmed in the course of a peaceful settlement. In this connection

the Soviet Government agrees that Soviet troops should take part for this purpose, together with Rumania, in military operations against Germany and Hungary.

20. The present terms come into force from the moment of their signature.

Made in Moscow in four copies, each of them in the Russian, English, and Rumanian languages, the texts in Russian and English languages being authentic, on September 12, 1944.

Signed by the authority of the Governments of the U. S. S. R., the United Kingdom, and the United States: Malinovsky. Signed by the authority of the Government and the High Command of Rumania: Lucretiu, Patrascanu, Damaceanu, Stirbey, Popp.

#### APPENDICES

Appendix to paragraph 2: Measures laid down in paragraph 2 concerning internment of German and Hungarian citizens on Rumanian territory are not to apply to citizens of these countries of Jewish nationality.

Appendix to paragraph 3: Assistance to be afforded by the Rumanian Government and the Rumanian High Command mentioned in paragraph 3 is to be interpreted as placing at the disposal of the Allied [Soviet] High Command, to be used at its discretion for the period of the armistice, of all those Rumanian Army, air force, and naval installations, and facilities—ports, harbors, barracks, stores, airdromes, means of communication, and meteorological stations—in perfect order and with personnel that may be needed for military purposes.

Appendix to paragraph 10: The Rumanian Government is to withdraw from circulation and to redeem all currency on Rumanian territory issued by the Allied [Soviet] High Command within the time limits and on the terms to be fixed by the Allied [Soviet] High Command and is to hand over currency withdrawn in such manner to the Allied [Soviet] High Command without any compensation.

Appendix to paragraph 11: Calculation of payment of the compensation fixed in paragraph 11 of the present agreement is to be based on the American dollar at its gold parity on the day of the signing of this agreement, viz., \$35 equaling 1 ounce of gold.

Appendix to paragraph 16: The Rumanian Government undertakes to insure that radio communications, telegraph and postal correspondence, coded correspondence, and messenger service, as well as telephone communications with abroad of embassies, legations, and consulates in Rumania will be carried out in a manner to be laid down by the Allied [Soviet] High Command.

Appendix to paragraph 18: The Allied Central Control Commission that is to be set up in conformity with paragraph 18 of the armistice agreement is to be entrusted with control of the exact execution of the armistice conditions. Rumanian Government authorities are obliged to carry out all instructions issued by the Allied Control Commission having their origin in the armistice agreement.

The Allied Control Commission will set up special bodies or sections and entrust them respectively with the discharge of various functions. In addition, the Allied Control Commission may station its officers in various parts of Rumania. The Allied Control Commission will have as its residence the town of Bucharest.

Moscow, September 12, 1944.

#### HULL RESERVES COMMENT

WASHINGTON, September 13.—Secretary of State Cordell Hull reserved comment today on the terms of the armistice with Rumania pending study. Some time will be required for the study in view of the length of the terms. They were not received from the

American Embassy in Moscow until late in the day.

#### LOSS OF LIFE ON AMERICAN RAILROADS

Mr. WHEELER. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a statement which I gave to the press today, with reference to some of the wrecks which have occurred recently on American railroads. I call attention to this matter because I feel that the railroads of the country ought to adopt certain safety devices which they have not adopted, and that the Interstate Commerce Commission should take a more active part in compelling certain railroads to adopt safety devices which they have not adopted.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

In the early morning, five days ago, many soldiers of the Army Air Forces as well as civilians and railroad employees were killed or seriously injured in a train wreck near Terre Haute, Ind. This was one of a long series of preventable wrecks. Safety devices have long been available to the railroads. In this particular case, the wreck is particularly tragic. These were very precious lives. These men had faced death on many missions against the enemies of our Nation. The Army sent them back to this country either to freshen them up for further missions against the enemy, or else to utilize their peerless experience and skills in fields where they could be of the greatest use in winning the war. And while traveling, in accordance with this Army plan, in our land, they were killed because our railroad systems have not adequately installed available safety devices.

Every year we have similar loss of life on the railroads. Small railroads and big railroads, weak railroads and strong railroads contribute to this unnecessary death toll. Nor is there any indication that the directors of our railroads are ready to change their policies. Meetings of those directors should have been called on the day on which the news was flashed that these aviators had been killed.

Railroad boards of directors ought to call special meetings at once to authorize the placing of contracts and, where necessary, the raising of funds for installing these safety devices. The railroad managements should bend every effort to get delivery of these devices as soon as the lifting of wartime priorities permits.

The railroads should be made to understand that if they do not act within a specified number of days, then the Government will act. Twenty-four years ago Congress empowered the Interstate Commerce Commission to command the railroads to install safety devices. The Commission has very largely left the matter to the companies. Sharp disagreement with this attitude of inaction was expressed by a distinguished member of the Commission, the late Joseph B. Eastman, 8 years after Congress had given the Commission the power to act. He said he would give the railroads just 6 months to submit definite plans to the Commission. That was 16 years ago. Since then the Commission's attitude has not sufficiently changed for the better.

The Commission should now quickly ascertain whether the railroads are going to place the contracts for these safety devices, how soon this will be done, and whether this time they will move in dead earnest. If the Commission does not take such steps, if it does not awaken from its long lethargy,

then it may become necessary to repeat action taken against inadequate commissions in the past.

Employees and managements have loyally, and with devotion to the public and to the Nation, contributed to the transportation system all the efficiency obtainable from human beings. They, like the traveling public, are entitled to all the safety now and long since obtainable from science and invention.

I appreciate the difficulties which the railroads have been under during the war. They have done an excellent job in handling traffic under great difficulties.

#### RECEPTION OF HOMECOMING SERVICEMEN

Mr. WILEY. Mr. President, before the war is over, more than one-tenth of our population will have seen service in the armed forces of this country. This one-tenth is the cream of the crop. They will be coming home soon. For them homecoming is what they are all talking about, praying about, and dreaming about. While they have been fighting our battles we had it relatively easy here at home. Sometimes I think that many of us have no conception of what these fighting sons of ours have been undergoing. They have been living in a different world from us, but all the time the matter of coming home has been the big thing in their lives. They will be changed in many ways. For all their suffering and sacrifice, Mr. President, for all they have done and accomplished, they are entitled to a square deal from us at home.

In This Week of September 17 there appeared an article giving some very worth-while suggestions to us stay-at-homers as to how we should act "when he comes home." It is an article by Arthur Bartlett, which all of us can read with profit. He lays down four guideposts for you and for me to follow:

First. Be appreciative; show it; live it.

Second. Be natural and take a natural interest in the experiences of our boys. Let them tell about them when they feel like talking, but do not make a maudlin fuss over them.

Third. Be patient; this calls for a great deal of tact, patience, and understanding.

Fourth. Work for him. He has given up a year or two or three. He may have been forced to give up his career; others who have stayed at home have hit the jackpot, even snatched his girl and cleaned up on the war. Help him get on his feet so he will be a soldier in civil life as he was on the battle front.

In a word, we at home must make sure that their homecoming is a real reunion, in terms of simple family relationships. There will be chatterers and demagogues ready to capitalize on the disappointments of these boys, offering them something "just as good" in the form of special-interest blocs, the haves versus the have nots.

I ask unanimous consent that the entire article be printed in the Record following my remarks. I recommend the earnest consideration of this article by all Americans.

There being no objection, the article was ordered to be printed in the Record, as follows:

#### WHEN HE COMES HOME

(By Arthur Bartlett)

#### HIS READJUSTMENTS WILL BE TOUGH—BUT YOU CAN HELP

They called me a war correspondent. They let me wear a uniform and go places where the war was going on. They let me live and talk with the men who were doing the fighting, and even, on occasion, go into combat with them. Then they let me have the greatest privilege of all: They let me come home.

That is when my Army friends over there really envied me. "You lucky so-and-so," they said. "Boy, wish I were going with you. How about stowing me away in your baggage?"

Going home! That is what they dream about. No matter where you find American soldiers, no matter what they are doing, the one unifying common denominator is the urge to get on with the job, get it done, and get home. Thinking about it and talking about it, they have built up homecoming in their minds to a point where it compares, roughly, with entering into Paradise.

I wonder if it is going to work out that way? It can—or it can be a terrific let-down. Which it will be, depends on whether or not we can make those men feel, as they come home, that they are at home, among their own people, and not among strangers.

#### NEW LINE-UP

The war has divided us into two groups, a new line-up of "haves" and "have-nots"—those who have shared actual war experience and those who have not. At home we have taken the war seriously; we have done our war jobs and put up with the difficulties of wartime living; we have read about war and seen pictures of it. But something has happened to your men who have actually gone to war—something that just doesn't happen to people at home. In Britain, blitzed and bombed by robots, civilians have had to share the experience. They will understand their men better as they come home than we will. Yet our men are coming home with a deep faith that they will be understood—that you will think as they think and feel as they feel.

It is not going to be easy to live up to that faith.

When I got out of the Army airplane that brought me back from the European theater of operations I was handed some mimeographed instructions. They warned, particularly, against talking like a big shot. A sergeant, back from combat, looked up and grinned as he read his copy. "That's a laugh," he said. "Who wants to be a big shot? All I want is a chocolate ice cream soda."

Together we made our way to the nearest soda fountain. The girl behind the counter glanced at the sergeant's service ribbons. "Home from the war, eh?"

The sergeant nodded. "And mighty glad to be back," he answered.

"Yes," said the girl. "I'll bet it will seem good to do something useful again."

#### HOMECOMING TURNS SOUR

The sergeant's face grew red, and I thought he was going to choke. But the girl didn't notice. She turned, and tossed the sergeant a friendly smile as we left, though he was glowering at her.

"Something useful?" he repeated disgustedly as we walked away. "I suppose she thinks this war was just a pastime."

I tried to kid him. "I thought you didn't want to be a big shot."

"I don't," he snapped. "But if people back here think \* \* \*." He let the sentence go, and just shook his head. His homecoming was already turning sour.

Rule No. 1 for the soldier's homecoming: Be appreciative. Those men have lived the war, 24 hours a day, 7 days a week. Fighting,

working, sleeping, playing, the war has always been there, the whole reason for existence, the one thing so overpowering in its importance that comfort, pleasure, profit, even life itself could not be considered as items of relative weight. When they come home they are coming with the deepest sort of conviction that they have been in on the making of history so momentous that everything else that has happened in the meantime is trivial. They take that for granted; they assume that you do, too.

Rule No. 2: Be natural. Don't make a maudlin fuss over the returning serviceman. On the other hand, take a natural interest in their experiences; let them tell you about them when they feel like talking.

They don't want to be big shots. They don't want to play hero. Shortly after I arrived home I met a young friend of mine who had served 2 years with the marines in the South Pacific. He had just received his discharge and was in civilian clothes again. "If I'd had to wear that uniform another day," he told me, "I'd have gone nuts. People made me feel like a one-man parade. They gushed, and goaded, and made speeches at me. Even my draft board, when I notified them of my new status, talked like a bunch of Fourth of July orators. People wouldn't let me take my share of the checks. An old lady insisted on holding a door open for me, instead of letting me hold it for her, because I had 'been through so much.' It all made me feel so self-conscious that I got the jitters. I felt as if there were a conspiracy to keep me from doing the one thing I wanted—which was to get back to being myself in normal, ordinary life."

Rule No. 3: Be patient. I have talked since my return with psychologists in the office of the Surgeon General of the Army and with officers and counselors at the separation center at Fort Dix. What the average returning serviceman wants, they seem to agree, is the kind of harmonious life, in the kind of peaceful surroundings, among the kind of understanding people he has been dreaming about. But that is a large order—too large, undoubtedly, in all but the most exceptional cases. Even if we do our best to make his homecoming satisfactory, he is going to have disillusionments and disappointments, and will have to readjust some of his ideas and habits of thought. That is going to call for a lot of tact, patience, and understanding.

#### COP VERSUS MARINE

A few weeks ago in Washington a marine, back from the South Pacific, started to cross a street against the lights. The policeman on the post blew his whistle. The marine kept going. The cop yelled, ordering him back. The marine refused angrily. No doubt the whole idea of having his safety protected while crossing a street seemed silly to him after having crossed those South Pacific beaches; no doubt, too, he felt he had earned his freedom of action. When the cop, merely doing his duty, tried to enforce his command, the marine reacted as he would have done in the jungle—only this was an American policeman he was pushing around, not a Jap. The marine won and the cop went to the hospital; but it doesn't take much profound thinking to see what that kind of brawling could do to our reunion with the servicemen.

Obviously, they must meet us halfway. But they will have expert guidance along these lines. In the separation centers, the hospitals, or wherever they get their discharges, experts in all phases of civilian life will counsel them. It will be impressed on them that in the time they have been away, they have grown older, they have lived a different kind of life, they have seen things and done things which few of the rest of us have seen or done. All this has changed them, and they will be given the best possible advice about how to make allowances for that.

## MAKE ALLOWANCES

But we—those to whom they are returning—must make allowances, too. We must remember that not only have they changed, but so have we. We must realize that they probably have built up an idealized picture of what we are like, what our homes and our communities and our ways of life are like. "Absence not only makes the heart grow fonder," one Army psychologist put it, "but it makes the mental image grow more vague and beautiful. The soldier from some little crossroads town, for example, may remember it as something pretty grand; but when he gets back, perhaps after seeing Rome, it is likely to look strangely unimpressive. And his girl friend may not look quite as glamorous as he remembers she used to be, either."

It will take time to find out just how the war has affected your men, and it will take time for them to get reacquainted with home. Give them—and yourself—the time that is needed before saying or doing anything that might raise an issue.

Rule No. 4: Work for him. Remember he's given a year, 2 years, 3 years of his life. He's been forced to give up a career, a good job. He'll come back and find friends who have hit the jackpot, snatched his girl, cleaned up on the war. He'll be resentful. It's up to us to help correct the balance. You must fight to get him set again—see that his career picks up and goes on. On the other hand, you must see to it that the pendulum doesn't swing too far. Help him get on his feet but also help him battle against the "gimme" spirit; the idea that the world—the civilian world—owes him a living.

## BE GENEROUS WITH HIM

Concretely, what can you do? Your responsibility doesn't end with a "glad to see you" welcome-home speech. It means you have to take off your coat and go to work. Maybe it means digging down into your pockets for a loan to start a serviceman in business. Maybe it means taking time out to discover or open up a job for him. Maybe it means letting him know that he can come to you to talk out his troubles and get the kind of advice he needs to reintegrate himself in civilian life.

Whether you're a boss, a union leader, a shopkeeper, or just a next-door neighbor, you can go to work. We must be generous with our time, our money, our sympathy. Then the problem of 11,000,000 men fades into the simple, everyday problem of giving a boost to the kid next door.

I saw those kids next door in action. They risked their lives with as much seeming casualness as if they were going to work in an office or factory. I will never forget the way the members of the flying crews whooped on D-day when Col. Gerald Williams told them they were going on the invasion bombing mission over Cherbourg—the way Joe Kelly picked up the briefing forms and began shouting, "Scorecards! Scorecards! You can't tell the plays or the players without a scorecard." As Capt. "Doc" Parsley said to me in the midst of the hubbub, "You'd think they didn't know what it's all about, wouldn't you—if you didn't know better?"

## DON'T BE FOOLED

Soon they'll be coming home—Joe Kelly and millions like him. They are still going to be casual. They are going to be kidding and wisecracking and joking. But don't let it fool you. They will still be fully aware of what they have been doing. And they will be hurt to the point of bitterness if the folks at home fail to show due appreciation—not with brass bands but with the warmth of understanding.

I have heard a lot of discussion, since I got back, about helping the 11,000,000 readjust themselves to civilian life, about absorbing

them into our domestic economy, about getting them jobs. But first of all, I submit, we must make sure that their homecoming is a real reunion, in terms of simple human relationships. Be appreciative. Be natural. Be patient. And work for them. Otherwise, you can be sure, there will be agitators and demagogues ready to capitalize on their disappointment, offering them "something just as good" in the form of special-interest blocs: The "haves" versus the "have nots."

And that isn't what they have been fighting for at all.

## AMERICA'S PART IN MAINTAINING PEACE AND SECURITY

Mr. BURTON. Mr. President, I wish to thank the distinguished junior Senator from Minnesota [Mr. BALL] for the statements he has just made in the Senate. It has been my privilege to be associated with him in the past in undertakings along this same line. I am happy to join with him at this time in order that we in the Senate may work together in establishing a just and lasting peace.

I rise at this time to comment upon what I conceive to be America's part in maintaining peace and security.

The Senate has a serious obligation to share substantially in determining the foreign policy of the United States as expressed in its treaties. The time is near when the Senate will deliberate further on a treaty to establish the general international organization to maintain international peace and security, the necessity for which this Senate recognized unequivocally on November 5, 1943.

In the hope of contributing to the correct analysis of certain issues which then will face the Senate, I present this preliminary comment on three material subjects.

They are: First, the term "International armed force"; second, the occasions when the United States should join in the enforcement of international obligations by the use of international armed force; and third, the relative positions of our President, the Senate, and the House of Representatives in authorizing the United States to join in the use of international armed force.

## ABOVE PARTISANSHIP, PERSONALITIES, AND PREJUDICES

Before discussing these subjects, I wish to emphasize with all the force and seriousness at my command, first, the necessity that the Senate lift its discussion of them above partisanship, personalities, and prejudices; and, second, the necessity that the President and the Senate shall find their way to genuine agreement, in the best interests of the United States, upon some clear-cut policy that will include the establishment of that general international organization to maintain international peace and security, the necessity for which this Senate recognized last November, by a vote of 85 to 5.

One reason why it is absolutely necessary to lift this discussion above partisanship is that whatever treaty is made will require, under our Constitution, the consent of two-thirds of the Senators present, and it is obvious that neither now nor then will two-thirds of the Members of this Senate belong to the same party.

If the voting follows party lines, the treaty will fail, no matter how good it may be and no matter which party supports it, because although it received the approval of the majority of the Senate, it would not receive the required votes of two-thirds of the Senators present.

Equally clear, if two-thirds of the Senators are to agree on this treaty, aside from partisan issues, it is essential that every other avoidable ground of disagreement be removed. There must be no basis of partisanship, personality, or prejudice to divert a single vote from the real merits of the issue. The natural and genuine disagreements among men seeking any common purpose threaten the possibility of taking any constructive step in a new field of grave importance if the vote must be over two to one, as is here required. To emphasize this, Mr. President, it is only necessary to recall that if the two-thirds rule had been in effect in the conventions which ratified the Constitution of the United States, the Constitution would have failed of ratification in 6 of the original 13 States, where it received a majority vote but failed to receive the favorable votes of two-thirds of those present.

Finally, it is a sacred obligation of this Senate to reach an agreement upon a policy which shall make the greatest possible contribution that man can make toward establishing and maintaining a just and lasting peace when once the war has been won. The action or inaction of the Senate on this issue will be its primary contribution to the peace or the wars of the future. The opportunity for this action is being won by the men and women of America and of the world at the price of their very lives. "It is for us the living \* \* \* to be dedicated here to the unfinished work which they who fought (this war) have thus far so nobly advanced."

Our objective and the objective of those who will have won this war is a just and lasting peace among ourselves and with all nations. This objective has been assigned by the people of the United States to this Senate. If we fail to so unite our efforts, direct our attack, and drive ourselves forward as to gain this objective, we will have failed to do our share in this sacred cause, and there is no possible excuse for such a failure.

On the other hand, if we do so unite our efforts, direct our attack, and drive ourselves forward that we shall gain a just and lasting peace, then, and only then, shall we have done our share for our brothers, our forefathers, and our children's children.

By day and by night the common man throughout the world for centuries has been seeking hopefully for justice, peace, and good will. For hundreds of years he has prayed that the will of God be done on earth as it is in heaven. Today, at the price of the lives of millions of young, brave men and women and of untold human suffering, the opportunity to translate this faith into the foundations of future peace rests in part on the desks of the United States Senate. Accordingly, in the discharge of this high trust

to God and man, there must be no touch of partisanship, personalities, or prejudices. It is in this spirit that I urge the study now of the issues I shall present.

In the same spirit, I urge upon us the necessity of our reaching an agreement not only among ourselves but between ourselves and the President. Our affirmative obligation to reach such an agreement, establishing the foundation for a just and lasting peace worthy of the price paid for it, is just as strong as is the negative obligation to lay aside partisanship, personalities, and prejudices in the consideration of it. Following the thought recently expressed by General Marshall, let me say that we have been winning the war as members of the United Nations team, the greatest the world has ever known, and it now remains for us to develop a correspondingly orderly procedure to resolve the conflicting peacetime interests of our respective nations in a manner that will be worthy of the teamwork of our fighting forces.

I turn now to the three subjects which I have selected from the many that present themselves. They are: first, the term: "international armed force"; second, the occasions when the United States should join in the enforcement of international obligations by the use of international armed force; and third, the relative positions of our President, Senate, and House of Representatives in authorizing the United States to join in the use of international armed force.

If two-thirds of this Senate agree on these issues, we shall have gone far toward our objective. I believe there is ample room and good reason for agreement on these issues within the policy declared in the Senate resolution of November 5, 1943, within the Constitution of the United States, and within the scope of the conference now being held at Dumbarton Oaks in this city, insofar as the scope of that conference has been made known to the public. In this discussion, I shall be concrete, rather than general. Accordingly, I take as my text the one official statement which has been made by the Senate on this all-important issue of post-war peace and stability. This statement was carefully considered, thoroughly debated, and approved on November 5, 1943, by far more than two-thirds of the entire membership of the Senate. It says:

That the Senate recognizes the necessity of there being established at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security.

That, pursuant to the Constitution of the United States, any treaty made to effect the purposes of his resolution, on behalf of the Government of the United States with any other nation or any association of nations, shall be made only by and with the advice and consent of the Senate of the United States, provided two-thirds of the Senators present concur.

#### I. INTERNATIONAL ARMED FORCE

I use the term "international armed force" in place of the term "international police force" because the latter has been

given many special meanings which are misleading and quite unnecessary for carrying out the policy of the Senate resolution. As the resolution recognizes the necessity for the establishment of a general international organization for the maintenance of international peace and security, it is obvious that under some circumstances force will be needed to resist attacks upon the peace and security of the world, just as force is needed under other circumstances to resist attacks upon the local peace and security of any community.

I believe, therefore, that the use of armed force to enforce international obligations is essential to the durability of those obligations. On the one hand, I believe that many means of applying such armed force to such a purpose would be unwise and impracticable. On the other hand, I believe that some means of applying such armed force on a basis of international cooperation can be found which will be practical, and which will enable the peace-loving nations of the world, large and small, to go far toward maintaining the international peace and security of the world. It is our responsibility in the Senate to discover, define, and develop those means.

To discover such means, we will do well to use the simplest common sense. On the day of the unconditional surrender of the enemy either in Europe or in the Far East, within the effective area of the surrender, there admittedly will be military peace and security insofar as it can be secured by international armed force. It will have been secured by the cooperation of the armed forces of the United Nations. We do not need to go further for a demonstration of the most successful type of international armed force in all history. The armed force of the United Nations, on that day in that area, will have defeated the greatest attack upon international peace and security that has occurred in the history of the world, or is likely to occur for many years to come.

Therefore, when and where such surrender has come there will be in actual operation an effective international armed force fully capable, from a military point of view, of maintaining for the moment, at least, international peace and security. It will be the cooperating armed force of the respective United Nations working together. It will be the undisputed championship team, and the best way to retain any championship is to retain the membership of the championship team intact and in condition. Our problem, therefore, will not be to find something strange or to create something new. Our problem will be to retain what we have but to cut down its size to the greatly reduced needs resulting from the unconditional surrender of practically the only militarily powerful states in the world which are not already members of the team.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. I yield.

Mr. PEPPER. I do not know whether I correctly understood the able Senator from Ohio, but I thought he said that it was a good idea to keep a championship team intact. Does he mean by his statement that he will join us in November in supporting the President?

Mr. BURTON. We need a new pitcher. [Laughter.] I was speaking of a team of nations. We need to keep those nations together, but there is a point at which a team member sometimes becomes old and quarrelsome.

Mr. BARKLEY. In quotations. Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BURTON. I yield. Mr. WHERRY. The Senator means that it is not well to use the same pitcher four times in a row.

Mr. WILEY. Not if he has lost his pitch.

Mr. BURTON. That is it. Mr. FERGUSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Michigan?

Mr. BURTON. I yield. Mr. FERGUSON. Does not the Senator believe a wrong impression is created when persons speak of a team? The Senator was referring to the United States of America, not one individual man. The team consists of the fighting forces of America, and America is comprised of the whole of its population, not merely one man.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. I should prefer to proceed, if I may, unless what the Senator from Florida wishes to say is material to the issue which I am discussing.

Mr. PEPPER. I was merely somewhat amazed at the able Senator from Michigan who seemed to be contemplating a body without a head, a nation without a leader, and an army without a commander in chief.

Mr. BURTON. Mr. President, this international armed force of the United Nations is in fact a team of nations themselves. If we can keep those nations together it will not be difficult to keep their armed forces, facilities, and bases coordinated in time of peace as well as in time of war. But if these nations separate, then their forces separate with them and the team is destroyed.

On the other hand, to think of a separate international police force in the sense of an international gestapo policing the streets of the world and concerned with the internal affairs of each nation, is preposterous. It is precisely the type of dictatorial regimentation against which our armed forces have fought, and which must be destroyed if freedom is to survive.

Likewise, to conceive of an international police force even in the sense of a single united military force, with a new common uniform and a new common flag, responsible only to a new international organization, separated from its

member nations, is equally unnecessary and unsound.

The impossibility of such a single international police force is obvious in a military sense. Today substantial military power is not made up merely of men marching in common uniform. It is made up largely of sources of petroleum, steel, and aluminum, supported by manufacturing plants and food-producing farms, and supplemented by ships, airplanes, landing fields, and countless forms of weapons and ammunition. Today an international armed force is much more than a group of soldiers. It is a group of nations. If, therefore, we separate the soldiers from their sources of food, clothing, equipment, and transportation, they soon become ineffective. At the same time the natural sources of food and supplies without the cooperating soldiers, would be ready booty for the first international bandit to discover them.

The problem of finding a successful working model of an international armed force suited to the needs of our time is, therefore, really no problem at all. We have that model close at hand in the armed forces of the United Nations if we but make proper use of our opportunity to adapt and reduce those forces to the lesser needs of peace.

In this adaptation of this international armed force lies an important part of the secret of the economic recovery of the world. That recovery can come within America and within other nations, if, but only if, there is peace and security in the world and also reasonable assurance of continuing peace and security in the world for a number of years to come. It is only then that nations can afford to recall their men from military to civilian pursuits, and convert their materials and products from military to civilian uses. It is because the recognized championship team remains ready and able to preserve the peace that the world will not hesitate to return to that constructive program of productive economy that is essential to its own salvation. It is because of the known existence of this friendly force that each allied nation will feel free to reduce its own forces to its own peacetime needs.

The international armed force, by thus continuing its reduced but recognized power, thus becomes the protector of peace against lawlessness, while at the same time releasing from military duties the very men upon whose peacetime productivity the economic recovery of the world will depend.

America's fair contribution to such a force is readily understandable by America. The contribution of each nation to such a force is simply a contribution, on a reduced scale, of what it is now contributing. All nations joining the general international organization to maintain international peace and security will readily find a way to make an appropriate contribution. Materials, equipment, food, bases, rights of passage, funds, and men can all be put to appropriate uses in appropriate places.

Such a force would not conflict with the local forces maintained by each nation to insure its own domestic tranquillity or even to provide for its reason-

able national defense. The existence of such a force and the opportunity for its use will help the respective nations to reduce the size of their independent forces required for their common defense.

Having thus conceived of a practical and understandable kind of cooperating and well-distributed international armed force, with which we already are familiar and which we already are using on a scale far greater than any that is likely to be used again, we should consider occasions for its use.

## II. OCCASIONS WHEN THE UNITED STATES SHOULD JOIN IN THE ENFORCEMENT OF INTERNATIONAL OBLIGATIONS BY THE USE OF INTERNATIONAL ARMED FORCE

I do not here discuss the internal constitutional procedure which will decide which agencies within our own Government shall authorize us to join in the use of such force. I here assume that whatever action is to be taken on our behalf will be taken only by constitutionally authorized procedure and I shall discuss that purely domestic question of procedure under my third and final heading.

The issue here presented is that of determining when the United States, after receiving appropriate authorization from its duly constituted authorities, should join in the enforcement of international obligations by the use of international armed force, of the type and kind previously discussed, including its own contribution to such force.

I use the term "international obligations" in a broad sense, including international agreements between one or more nations to which we shall be a party and also including obligations to which we shall have subjected ourselves through acceptance of a rule of general international law. For the sake of simplicity in presenting a concrete issue, I shall first limit my discussion to such international obligations as shall be included in the treaty of peace with our present enemies or in the terms of unconditional surrender which we shall impose upon them.

This class of obligations presents not only the clearest but also the most practical and the most important example of an occasion when the United States should join in the enforcement of an international obligation through the use of international armed force.

Unconditional surrender does not mean the absence of terms to be observed by the enemy. It means the absence of conditions dictated by the vanquished, while it expressly contemplates the imposition of terms dictated by the victors.

The United States will assist in the dictation of these terms. The terms will be such as the combatant allies shall have agreed upon. They may appear in military orders, or in an armistice, or subsequently in a treaty of peace duly ratified by appropriate constitutional authorities. These terms of surrender and these obligations imposed upon the enemy will provide clearly appropriate occasions for their enforcement by the use of the very same international armed force that originally helped to impose them.

The United States, appropriately, will welcome international cooperation not only in securing the victory and imposing the terms of peace, but also in the enforcement of those terms in the interests of the Allied victors.

The enforcement of such terms is easily distinguishable from other terms. In the sense that peace is the absence of war, it is these terms that define and protect that peace. Our enforcing officers are peace officers and our acts of enforcement are acts to preserve and keep the peace rather than new acts of war. The military terms of the peace are a natural and integral part of the conduct of the war and the consolidation of the victory gained.

## ENFORCEMENT OF TREATY OF PEACE

To be more specific, one obvious term of the surrender is bound to be the disarmament of the Axis nations and the continued prohibition of their rearmament. The agencies of inspection and enforcement of this term of the peace will be an exercise of the police power of the United Nations through the armed forces of the respective nations acting with the same unity and coordination as in war. This use of them will be essential to the maintenance of international peace and security. I believe that such a term of the peace and such a use of international armed force to enforce it would be entitled to receive and would receive substantially as unanimous support in the Senate as does the conduct of the war itself.

Recognizing the world-wide character of the present war, the enforcement of these terms of disarmament upon the enemies of the United Nations will mean, for practical purposes, the automatic maintenance of the general international peace and security of the world as a whole, as long as the United Nations shall remain united and at peace with each other.

In this enforcement of the terms of surrender and the treaty of peace with our enemies, we face something which can be separated from all other international obligations. The policy involved in the enforcement of these terms with whatever force may be necessary is inherent in our determination to wage this war to complete and lasting victory in both hemispheres. This policy has long had the substantially unanimous approval of our Nation. To whatever extent the terms of surrender or of the treaty of peace are formally approved by the executive and legislative branches of our Government they will thus receive further confirmation of their validity. The enforcement of these terms, I believe, Mr. President, will be administrative in character. They will not present a need for new authorization of the use of our military forces, either independently or in conjunction with others, to enforce them.

It is important, then, that we appreciate the high practical value of this feature of the problem. If the terms of surrender and of the treaty of peace are implemented in such a way as to secure assurance of their enforcement, it will mean from a military point of

view, the international peace and security of the world will have been temporarily attained. Due to the scope of the present war, the United Nations are now fighting practically all the nations of the world that are not members of or associated with the United Nations and that have any reasonable likelihood of developing into a threat to the peace of the world in the present generation. Accordingly, if the United Nations and their associates shall remain united and at peace with one another, the enforcement of the terms of the peace against our enemy nations will overcome, from a military standpoint, what may be said to represent 80 to 90 percent of the threat to the peace of the world from military sources.

The successful enforcement of these terms will so far promote the chances of peace in the world that, whatever else shall or shall not be done, we should make sure to take this step and to do all that is possible to assure the unity of the United Nations and of their associates in their joint enforcement of these terms of the peace.

We must not, however, overlook the remaining 20 to 10 percent of military risk that will remain. Also we must not overlook the many economic, social, and political elements in the world that may lead to war from new causes, unless those causes are by other means brought under control.

It is not my purpose to discuss these economic, social, or political dangers of the future except to suggest that much can be done to overcome them and that a general international organization to maintain international peace and security will naturally seek to guard against such dangers as well as against purely military dangers.

While the enforcement of these terms of surrender or of the peace treaty will rest in the first instance with the principal combatant powers that shall have won the victory, it will be natural to extend the responsibility for the continued enforcement of the peace and the continued security of the world over the broadest possible base. It will be natural to extend it to the general international organization, including in its membership all the peace-loving nations large and small. In the event that the general international organization is thus brought into being and made to provide an added mechanism for the enforcement of the terms of peace against our enemies, it will become an agency of great international value. It will afford a new means for maintaining that unity among the United Nations which is the all-important formula for the continuing peace of the world.

Because of the importance of the enforcement of the terms of the peace to all of the nations of the world and because of the importance of the establishment of a general international organization to provide some flexible means of meeting the economic, social, and political problems of the future, it will be well worth all the effort of establishing the general international organization if, in fact, the only commitment it shall im-

pose upon us for the use of international armed force shall be limited to the enforcement of the terms of the peace against the Axis Nations.

#### USE OF FORCE AGAINST FUTURE AGGRESSORS

It, however, is appropriate also to consider whether it is not wise and beneficial from the very beginning of the general international organization to include certain other occasions where international armed force appropriately might be applied by us. There are at least two extensions of this policy which I wish to present. One is the use of such force against future international aggressors, whoever and wherever they may be; and the other is the use of such force to enforce all settlements and decisions of the various agencies of the general international organization, reached within their respective jurisdictions.

In both of these cases, the use of force might be extended too far or the mechanism for applying it might be so loosely organized as to be detrimental rather than beneficial to the interests of the United States. Our problem, Mr. President, therefore, is to find such a definition of the occasions and such a means of adjusting the authority to make use of the force, that it shall be definitely beneficial to the interests of the United States. Our Nation has thriven upon a system of checks and balances which, while not perfect, has contributed tremendously to the general peace, prosperity, and freedom of the people of the United States. I am hopeful that we shall find it possible to extend the powers of the general international organization to the forceful resistance of properly defined aggression in such a manner that doing so shall be beneficial to the cause of peace. We, as well as other nations, may well find it advantageous to contribute our armed forces, under the definitions and limitations of a proper plan to prevent aggression in certain cases.

The definition should be simple and broad. Aggression might perhaps be defined as the employment of military force by any state within another state without the permission of that state and without the authorization of the general international organization. Aggression under those circumstances presumably would be unlawful military aggression of the kind which must be stopped in the interests of the peace and security of the world.

Assuming that some such definition might be developed, it then becomes equally important to produce a mechanism for authorizing joint international action. This involves questions of representation and authority within the general international organization. Without attempting to go into detail, there seems to me to be merit in the ingenious combination of representation and of veto power which is reported to have been discussed at the Dumbarton Oaks Conference.

Accordingly, for purposes of illustration, I shall assume that the general international organization shall consist, for policy-making purposes, primarily of an assembly including all peace-loving

states, large and small, and of an executive council consisting of 11 states.

I shall further assume that 4 of the 11 states on the executive council shall be permanent members of it. These would be the United States of America, Great Britain, Russia, and China. At an early date France might be added to the 4. I shall assume also that the remaining 7 shall be chosen from other members of the assembly for terms of 1 or more years. Discretion probably will dictate that these temporary representatives shall serve for overlapping terms, generally shall not succeed themselves, and shall be so distributed geographically that they will roughly represent all parts of the world.

I shall further assume that on any issue of aggression the alleged aggressor state shall have no vote. Then, in order to authorize joint use of force through the general international organization, there must be a majority assent among the voting states and such majority must include all of the permanent members—exclusive of the alleged aggressor, if one of them be such alleged aggressor.

In this class of cases we are not dealing with the enforcement of the terms of the treaty of peace against the Axis nations as a mere matter of automatic administrative enforcement. In this class of cases we are dealing with new aggression presumably arising on the part of one of the hitherto friendly or neutral states. In order that the peace of the world be maintained, it is important that such aggression be checked promptly. Undoubtedly the state against which the aggression is directed will in any event and on its own account resist the aggression as it would have a right to do.

The question is, under what circumstances should the international armed force, consisting of the cooperating armed forces of one or more of the member nations, be called to its support? Individual states in the immediate region of the attack might join in the resistance to it on their own account apart from the action of any international armed force. It might be that the aggression would amount to a direct or indirect threat to the peace of the whole world. On the other hand there might be some confusion as to who in fact was the aggressor, because it is rare that the attacker will not have some theory of action in self-defense. To bring the international armed force into action will require competent decision by some one.

The plan proposed would provide that the concurrence of the four permanent members of the council would not be enough. There must be at least two of the temporary members also in agreement with the policy. On the other hand, no one of the four permanent members could be forced into the joint use of its armed forces in a world effort without its own consent. This would provide a conservative check in the case, for example, of the United States. It would mean that we could not be forced into military action without our own consent, and the important internal questions would be who should decide whether or not our consent would be

given. This domestic issue I shall consider later. It, of course, will be determined primarily by the terms of our own Constitution.

Practically every man in our armed forces, if given the chance, would today insist that some plan of action be provided so that the United Nations of tomorrow, including the United States, could promptly and effectively extinguish the next threat of world war at an early, instead of a late, stage of conflagration. The proposed plan suggests a way that permits us to decide for ourselves whether or not to use it at the time. It is a combination of checks and balances that recommends itself to Americans who believe in the maintenance of peace, and strengthens our hands when using it.

#### USE OF FORCE TO ENFORCE INTERNATIONAL DECISIONS

Another extension of the application of force through the general international organization might be the use of international armed force to enforce settlements or decisions made by some of the agencies of that organization. The definition of the obligation and the mechanism for its enforcement again would be of primary importance.

If such use were limited to the enforcement of decisions of an international court of justice dealing solely with justiciable questions, there probably would be as good reason for so using force as there is for using a sheriff to enforce the decisions of our local courts. On the other hand, if such use were to extend to enforcement of decisions of policy of a social or economic nature, it might carry with it more threat of war than promise of peace. Accordingly, here again, the mechanism of consent might well be so adjusted as to vary with the nature of the obligation to be enforced.

The United States might accept the decisions of an international court of justice on justiciable questions as final authority and might regard the use of force for their enforcement as quite distinguishable from acts of war. However, in going beyond this limited field of justiciable cases, it might be well, as a matter of policy, and under the Constitution of the United States it might be necessary as a matter of law, to reserve to the United States and the other permanent members of the council the right of veto of the use of force. This would preserve to the United States the right to determine through its own constitutional processes whether in the specific instance it would join in the enforcement effort.

In considering any extensions of the use of international armed force beyond the enforcement of the terms of peace upon our present enemies, we should keep the thought clearly before us that the establishment of a general international organization which will enable us to secure the benefits of international armed force in the enforcement of those terms of peace and enable us to secure international cooperation in meeting many economic, social, and political issues of the future, will be of such substantial value to the United States and to the world that no controversial issues should be allowed to interfere with our

attaining at least that limited and justifiable goal.

#### III. THE PRESIDENT, SENATE, AND CONGRESS

Finally, my third subject is that of the relative positions of the President, Senate, and Congress of the United States in authorizing the participation of the United States in the enforcement of international obligations by the use of international armed force.

This subject is of vital importance to the United States, and the answer to it is in the Constitution of the United States. The representative of the United States on the general international organization executive council presumably would be an appointee of the President and appointed with the advice and consent of the Senate. The language of the Constitution probably is sufficient to require this, and certainly the importance of the appointment is such as to make the confirmation by the Senate essential to the appropriate relations between him, the President, and the Senate.

As between the President, including his appointee on the general international organization executive council, and the Congress or the Senate, the lines of authority are drawn by the Constitution. They cannot be enlarged or reconstructed by statute or by treaty.

Accordingly, when an issue is presented to the United States, either through its representative in the executive council of the general international organization or otherwise, and that issue is one which, in the reasonable discretion of the President, calls for use of our armed forces in providing for the common defense of the United States, he has the constitutional power and obligation to meet that issue directly. Neither his power nor his responsibility can be taken from him by statute or by treaty.

For example, if the United States is attacked or if other nations are attacked in a manner which, in the reasonable discretion of the President, seriously threatens the peace and security of this Nation the President has the responsibility of providing for the common defense against such attacks, be they immediate or remote, and in spite of any limitations or reservations which Congress or the Senate, or any Presidential predecessor, may have attempted to place upon his constitutional power and responsibility. He is the constitutional guardian of the safety of the Nation and of its interests. He is under obligation to provide for the common defense with all the means available to him. This power is inherent in his office.

This means that in the case of international aggression directly attacking the United States or its possessions, the answer would be simple, and the use of our own armed forces would be necessary and obvious, regardless of the action of the international armed force.

We might, however, well welcome the help of an international armed force in our own defense, and it is for such cases that such force is provided.

On the other hand, if the act of aggression were not directly upon the United States or its possessions, the authority of the President to act without

a declaration of war by Congress would be no greater with a treaty than without a treaty. Congress and Congress alone has the right to declare war; and if the action to be taken would amount to a declaration of war, our representative on the executive council of the general international organization would require such a congressional declaration in order for him to vote to permit the use of our armed forces if his vote were to bind the United States.

As a practical matter, however, it has been our experience, particularly in more recent years, that Congress has recognized an already existing state of war rather than has declared war in the first instance. Conditions in the future may take on the same character as they have in the past. The issues will be as easy or as difficult to identify in the future as they have been in the past. If an overt act of aggression takes place anywhere in the world it may well be such an act that the executive council of the general international organization will quickly recognize it as a threat to the peace of the whole world and will seek to act promptly in defense of the world against it.

It is for such a case that each of the permanent members of the council is enabled to exercise a veto over the use of a joint international armed force, as distinguished from individually operated armed forces. In the case of the United States, if the President became convinced, in his reasonable discretion, that his use of our armed forces was necessary to provide for the common defense of our Nation, he would have the same constitutional authority so to use them with or without action of the general international organization. I regard, therefore, the authority of the President to use our independent forces in defense of this Nation as falling under the same constitutional authority as his right to use our forces jointly with the forces of an international armed force. He has the constitutional authority to use our forces either with or without allies.

Accordingly, insofar as our own internal relationships, between the President, the Senate, and the Congress, are concerned they remain as the Constitution has fixed them regardless of the general international organization.

Then, so long as the general international organization provides only for automatic enforcement of the terms of the surrender or the peace treaty, it adds nothing to the danger of our position but improves the teamwork of the world in enforcing the terms of the peace.

Insofar as the general international organization shall reach beyond the terms of the surrender or of the treaty of peace, into fields of new aggression threatening the peace of the world or otherwise, the general international organization again does not carry with it the right to use our armed forces against our veto of their use. The organization treaty cannot increase the power of the President to take us in or the right of Congress to keep us out of war. It may change the mechanism of international negotiations; it may reduce the occasions

for war; but it cannot change the division of powers between the President and the Congress.

In effect, therefore, the general international organization should help the United Nations to continue their wartime teamwork in the enforcement of the terms of the treaty of peace. It should also clarify the procedure to be followed in the case of new threats to the peace and security of the world. It will help to provide us with allies, and it will continue our teamwork with our allies. It may well include much procedure, and some declarations of policy that will be helpful in preventing future wars. It should not deprive us of our legal right of discretion to enter or stay out of a new war. The type of the circumstances under which our President or our Congress may be called upon to act may thus be changed so as to reduce the likelihood of war, but the dividing line between their respective jurisdictions will remain as determined by the Constitution.

The general international organization should contribute greatly to the elimination of causes of war by improving the mechanism for overcoming economic, social, political, and military friction. The general international organization, within the scope of the Senate commitment of November 5, 1943, is capable, therefore, of being a substantial factor in securing a just and lasting peace, although neither it nor any other mechanism can provide an absolute guaranty of that peace. The only guaranty of peace lies within the mind, the heart, and the soul of man. Peace can be assured only in the same proportion that the leadership of God is recognized, justice is secured, and the spirit of the Golden Rule is practiced among nations and among men.

Our obligation, Mr. President, to those who are winning the war is to see to it that we eliminate partisanship, personalities, and prejudices from our consideration of the issues, and that we develop a constructive policy of self-respecting teamwork in our international relations which shall be worthy of the opportunity which those who have given their lives have provided for us in order that this Nation and the world might live. In the phrases of Lincoln:

It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they \* \* \* gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—and that this Nation [and this world], under God, shall have a new birth of freedom.

#### PART-TIME EMPLOYEES OF COMMITTEE ON PUBLIC LANDS AND SURVEYS

Mr. HATCH. Mr. President, there is a matter which I approach with a little chagrin. However, inasmuch as the statements I made the other day were made publicly on the floor of the Senate, I think that today I should likewise make just as publicly the explanation of a matter which I shall now discuss.

On Friday, as I recall, in debate on the floor of the Senate with the distinguished

senior Senator from New Hampshire [Mr. BRIDGES] and the distinguished junior Senator from Nebraska [Mr. WHERRY], I rather vehemently, in my position as chairman of the Committee on Public Lands and Surveys, said that that committee has not borrowed, has not utilized, and has not employed the services of anyone from the executive branch of Government. I think I emphasized the statement rather strongly.

Mr. President, I am sure Senators will not take it amiss if I alibi just a little. In making those remarks I was referring to the Committee on Public Lands and Surveys, the general committee, of which I am chairman. That committee as such has never, to my knowledge, employed or utilized the services of anyone from the executive branch of Government. But, Mr. President, I overlooked the fact that there are subcommittees of that committee. After I had made those rather vehement declarations—and I made them very positively; there was no doubt in my own mind about the matter at all—in fact, the next day I was told, "Why, Senator, there is a subcommittee of the Committee on Public Lands and Surveys, headed by the Senator from Nevada [Mr. McCARRAN], which perhaps has utilized the services of employees from the executive branch of Government."

I immediately consulted the Senator from Nevada and he said, "Certainly; my committee was authorized by a special resolution of the Senate. It was also specifically authorized to utilize services of employees of the executive branch of the Government."

I said, "I wish you would give me a report showing their names." He has furnished me with such a report and today I submit it to the Senate as showing the names of employees now serving the subcommittee of the Committee on Public Lands and Surveys, who were borrowed from the executive branch of the Government. I ask unanimous consent that it be printed in the body of the RECORD at this point.

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). Is there objection?

There being no objection, the report was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

#### COMMITTEE ON PUBLIC LANDS AND SURVEYS, September 19, 1944.

##### To the Senate:

The above-mentioned committee hereby submits the following report showing the name of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of \_\_\_\_\_, in compliance with the terms of Senate Resolution No. 319, agreed to August 23, 1944:

[See attached memorandum.]

CARL A. HATCH, Chairman.

Memo from Senator McCARRAN, chairman, subcommittee, Public Lands and Surveys Committee, to investigate public lands. To Senator CARL HATCH, chairman, Committee on Public Lands and Surveys, United States Senate:

Those detailed from Department of Agriculture, Forest Service, to assist with work of above subcommittee, are:

E. S. Haskell, senior administrative officer, Forest Service, CAF-12; basic salary, \$5,000 per year.

Elizabeth Heckman, clerk, CAF-5; base salary, \$2,000 per year.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. WHERRY. I wish to thank the distinguished Senator from New Mexico for his statement which he has given. He has been very fair about the matter and I appreciate his explanation. I accept it 100 percent. I join in asking that the report be printed in the body of the RECORD, and I also ask unanimous consent that future reports coming to the Senate be printed in the body of the RECORD.

Mr. HATCH. Mr. President, the Senator's resolution calls for monthly reports. I never have liked that because it causes too much bookkeeping. However, I wish to present a unanimous consent request that so far as the Committee on Public Lands and Surveys is concerned it shall be relieved from the duty of making any monthly reports, upon the assurance that if the condition changes at any time, a report will be submitted to the Senate. So long as the situation remains as it now is, the effect of my request would include the committee of which the Senator from Nevada [Mr. McCARRAN] is a member.

Mr. WHITE. Mr. President, reserving the right to object, as I now understand the situation, the Senator from Nebraska has asked that all such reports made in the future be printed in the body of the RECORD. I think it would be rather unusual, although I am not at all certain about it, to grant such authority running into the indefinite future. I think it would be much sounder practice, as the reports come in in each instance, to have them incorporated in the body of the RECORD, because it might well be that as time goes on there will be less interest in the publication of the reports. On the one hand, we have the request of the Senator from Nebraska that all such reports be printed in the RECORD, and, on the other hand, we are confronted with the request of the Senator from New Mexico that the reports from his committee be not included. Is not that the situation?

Mr. HATCH. Oh, no; my request is simply this: A report has been made for my committee, and I am quite sure that the report will not be changed in several months. I merely ask that the report stand, that it be printed in the body of the RECORD from month to month as it is presented, or even if it be presented from day to day. But if a change takes place at any time the change will be reported to the Senate.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. WHERRY. Mr. President, I do not wish to be unfair or impatient. I ask the Senator from New Mexico if he will withdraw his request and give me time in which to see if we can compile what I should like to have compiled out of the records in the form of a monthly

report. If not, I should like to have them furnished, and we will make a study of them. I will agree with the Senator from New Mexico that if he will permit me to do that, I will see that it is done.

Mr. HATCH. As I have already said, my objection was based merely on the physical work and bookkeeping which would be involved, and I wished to avoid it. I shall certainly be glad to confer with the Senator from Nebraska and ascertain if something cannot be worked out which will correct a situation which has become general.

Mr. WHERRY. I thank the Senator.

Mr. HATCH. With that in mind, Mr. President, I withdraw my request, but I think I may renew it tomorrow or on some other day.

The PRESIDING OFFICER. Without objection, the request of the Senator from Nebraska is agreed to.

#### THE HOG PRICE SITUATION

Mr. GILLETTE. Mr. President, I am informed that certain provisions of the Stabilization Act of 1944 are being considered in connection with changes in price levels for livestock and livestock products. In that connection let me say that some months ago the Congress passed and the President signed the Stabilization Extension Act of 1944. Section 3 of that act directs the President of the United States to take all lawful action to assure that the farm producer receives not less than parity or the highest price of the first 9 months of 1942, whichever is higher.

The language in the bill is very specific. It constitutes a mandate to the President and his assistants.

Now let us examine what is in prospect for the hog producer. It is asserted that on October 1 the support price for hogs, which has been at \$13.75 a hundred, basis, Chicago, will be lowered to \$12.50. Then let us see if a support price of \$12.50 would give the farmer the equivalent of the highest price received during the first 9 months of 1942, as required by the Stabilization Extension Act of 1944.

The United States Department of Agriculture reports that hogs sold for \$15.40 in September of 1942, and under the law the President must take all lawful action to assure the producer of hogs that price.

I have been informed that the War Food Administration, realizing that the \$12.50 flat floor will be unfair to hog producers, is recommending to the Office of Price Administration that the packers be compelled to pay an average of \$13.75 drove cost, under penalty of reducing the packer's subsidy in the amount that the average drove price is below the \$13.75 level. I understand that they are also recommending a flat ceiling price of \$14.75. However, it is reported that the Office of Price Administration is fighting against raising the present ceiling of \$14 on heavyweight hogs.

I wish to commend Judge Marvin Jones and the War Food Administration for taking this reported stand in favor of an average drove cost of \$13.75 and in favor of a flat ceiling at \$14.75. War Food Administration does not go as far as some of us feel that equity to the hog pro-

ducer requires, but at least it has gone a long way toward giving farmers a better break than they would have received if the flat floor of \$12.50 were to be put into effect without any other cushion, such as the requirement that the packers pay an average drove cost of \$13.75.

Let us look at this matter realistically. All calculations with respect to hog prices are based on what is known as the corn-hog ratio. The corn-hog ratio is the number of bushels of corn, or its equivalent, required to produce 100 pounds of pork. Using the Department of Agriculture's own figures, Midwest pork producers over a 20-year period have produced 100 pounds of pork on the average from 12.9 bushels of corn. Now it is true that under extremely favorable conditions, such as the State agricultural experiment stations are able to create in test demonstrations, they have been able to produce 100 pounds of pork from 12 bushels of corn, or its equivalent, from 11 bushels of corn, and even from 10 bushels of corn. However, everyone knows that optimum conditions simply cannot be created on all the farms or even on all the best farms which are producing pork in the Corn Belt. The low corn-hog ratio attained under experimental conditions is an ideal to shoot at, but it is silly to use it as a basis for establishing prices for hogs that must be produced under widely varying conditions and at great variation in expense.

Furthermore, any farmer will tell you that when he suddenly increases his pork production as much as 25 percent or even 50 percent, as many farmers have done during the past few years, the added production is achieved at unusually high cost. It cannot be otherwise. The farmer must buy additional equipment or he must use beyond its capacity the equipment which he already has, and he assumes added risk when he attempts to care for 30 sows at farrowing time when his manpower is normally able to take care of only 20 sows. Losses at farrowing time are invariably greater when a sudden increase in production is attempted. The disease and parasite problems are intensified at a mathematical ratio.

Now let us see where we arrive by using a 13 to 1 ratio in calculating the price that farmers should receive for their hog production of this year. Bear in mind that the 13 to 1 ratio is practically the same as the 12.9 to 1 ratio which has prevailed over 20 years, on the average, in the Corn Belt. Using the 13 to 1 ratio, the ceiling on hogs should be \$16.65, and I submit that the farmers are richly entitled to this price. Instead of \$16.65, the farmers are asked to submit to a \$14.75 ceiling for hogs weighing 180 to 240 pounds and only \$14 for the hogs exceeding 240 pounds. The 13 to 1 ratio would indicate that at present corn prices the average which farmers should receive for all weights of hogs would be \$15.20. Compare that with the \$13.75 average drove cost which is recommended by the War Food Administration and the \$14 ceiling for heavyweight hogs which the Office of Price Administration is insisting on.

I wonder if we in the Senate believe that the hog producers of this country should be given such shabby treatment.

When Government officials begged and pleaded with farmers to increase the production of hogs in order to help save England from starvation, and in order to make it possible to win the war, pork producers responded by performing one of the greatest production feats of the war. They increased pork production even beyond the volume asked by the Secretary of Agriculture. When they came to market the tremendous crop of 1943, they did not receive prices which the Government assured them they would receive if they increased the production of pork. Conditions in the hog market during the period of heavy receipts amounted almost to a national scandal. The Government asked farmers to make their hogs heavy so that more pounds of pork would be available for our armed forces and for our gallant allies. What happened? Countless farmers fed out their hogs to heavyweights and, when the time came to market them, they found their markets embargoed. For weeks thousands of pork producers held their hogs at home because there was no market outlet available, and when finally they were able to market them after prolonged feeding of high-priced corn, they found that the hogs had acquired enough additional weight to put them beyond the weight bracket on which a minimum price was guaranteed, and they took what the market would pay. Furthermore, I am informed on reliable authority that some meat packers deliberately refused to bid on hogs in the support bracket and filled their requirements from lightweight and heavyweight hogs, the prices of which were not supported. In the meantime, the bracket weight hogs were held over in the stockyards day after day, losing weight, many of them dying, and their average quality rapidly deteriorating. How many millions farmers lost as a result of the chaotic conditions in the hog market no one can estimate.

After going through all that, the hog producers are asked now to submit to floor prices which are entirely inadequate and ceiling prices which certainly are unjust to the producer.

I submit that the hog producers of this Nation are entitled to better treatment than they are about to receive at the hands of the Office of Price Administration.

Farmers have done their part magnificently in meeting the food problem, in spite of grossly inept handling of the situation by Government. The administration has gone from one extreme to the other. First they wanted every last pound of pork that could be produced, and they used every device of publicity and exhortation to get farmers to make their hogs heavy. Then they became frightened about the feed situation and demanded lighter hogs. Then they decided that pork production must be reduced, and they slashed the price floor.

In the latter instance, I am certain in my own mind that they have gone too far. The U. S. D. A. crop estimates for

1944 indicate huge crops of wheat and feed grains almost coincidentally with the lowering of the floor price of hogs. I feel sure that drastically curtailed hog production which is now certain for next year will mean huge surpluses of grain and shortages of meat. Thus we go from one extreme to the other, bewildering the farmer and upsetting normal relationships of price and supply. Tampering with long-established forces which tend to keep supply and demand in balance has brought great regional hardships for feeders of all classes of livestock. Experience during the past 2 years should have been enough to convince all the administrators of these programs that economic laws must be handled with careful consideration of realities and not in theory only. If food prices were high in relation to wages, I am sure that farmers would not generally complain; but when the Bureau of Labor Statistics assures us that food was never cheaper, in relation to wages, then I think that the farmers have just cause for complaint.

I am certain that many farmers believe that the entire meat program, with all of its consumer subsidies, roll-backs and rationing, has played into the hands of the meat packers. Packers have been assured of the subsidy on all the pork they handle, provided they pay support prices only on the bracket hogs, namely, those falling within the 180- to 240-pound bracket. We can see clearly how the system worked to the advantage of the packers. They bought non-bracket hogs to fulfill their requirements as nearly as possible, and they let the 180- to 240-pound hogs stay in the pens until they got ready to bid on them. Can anyone blame farmers for their resentment toward that type meat program?

When we examine the substance of the farmers' demands, we find that they are simply asking that the provisions of the Stabilization Act of 1944 be fully carried out. Are we going to take the stand that the law directing the executive department to do certain things is nothing but empty words? Let me call your attention to another provision of the same act. It consists of a new paragraph which was added to section 3 of the Stabilization Act of 1942. It reads as follows:

On and after the date of the enactment of this paragraph, it shall be unlawful to establish, or maintain, any maximum price for any agricultural commodity or any commodity processed or manufactured in whole or substantial part from any agricultural commodity which will reflect to the producers of such agricultural commodity a price below the highest applicable price standard (applied separately to each major item in the case of products made in whole or major part from cotton or cotton yarn) of this act.

That is the law. You will note that the law specifically states that the taking of any other action which will not reflect to producers the price as set forth in the law is an unlawful action. It is hard to conceive of stronger language than has been used in this paragraph. The intention of Congress is clear. The duty of administering the law in accordance with congressional intention is clear. What are we going to do about it?

#### DISPOSAL OF GOVERNMENT SURPLUS PROPERTY—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5125) to provide for the disposal of surplus Government property and plants, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. JOHNSON of Colorado. Mr. President, several hours ago I sent to the desk a conference report from the Senate Military Affairs Committee on the problem of surplus-property disposal. The conference report was signed by all members of the conference committee. I do not believe that any of us were entirely satisfied with all its provisions, but after nearly 3 weeks of conferences on the subject we found there was only one way in which to arrive at a conference report, and that was for us to give way here and there. In doing so we arrived at a conclusion of our work.

In working out the provisions of the conference report I do not want any Senator to think that we made any trades. Each provision was decided upon its merits, and we did not say, for example, "Very well; we will accept this if you will accept something else." Every issue from beginning to end was determined on the basis of its merits.

The conferees were men of strong convictions. They were determined men. They were men who clung to their position with great tenacity. Three weeks were consumed in meetings from 10 o'clock in the morning until 5:30 in the afternoon; and finally last Friday at 9:30 o'clock in the evening we arrived at an agreement, and all the members of the conference signed the report.

Mr. President, when the bill was before the Senate it was debated at length, and every Senator had an opportunity to take a position with respect to it and say what he had to say. Many amendments were accepted on the floor of both the Senate and the House. The Senate conferees did their best to uphold the position of the Senate with respect to the floor amendments. We met with some success. We lost some of the amendments, but for the most part we were able to prevail upon the conferees to retain the Senate proposals in the conference report. I shall refer briefly to some of the amendments which were offered on the floor of the Senate.

As will be recalled, there was the McKellar amendment, the so-called anti-profiteering amendment. In conference it was considerably modified, but provisions against profiteering have been retained.

There was the Aiken amendment with respect to power lines and rights-of-way. The amendment was retained in the bill in practically the same language in which it was offered upon the floor.

There was the so-called Hayden amendment with respect to returning streets and highways to the original owners. The amendment was retained in

the bill practically as it was agreed to on the floor.

There was the so-called Langer amendment which provided for jeeps and trucks to be furnished to farmers. While it was modified considerably, it was also retained in the bill in section 17 on page 9. Representatives of the triple A came to us and said that the language as it was adopted on the floor was not satisfactory inasmuch as it made the triple A a disposal agency, and therefore they asked that the Langer amendment be modified in the form in which the conferees have framed it.

There was also the Ellender amendment with regard to airports and harbors, the Downey amendment with regard to priorities of purchase which were given to the States, their subdivisions and their municipalities, and the La Follette amendment, all of which, or at least modifications of their amendments, will be found in the bill.

Mr. CHAVEZ. Mr. President, will the Senator from Colorado yield?

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Colorado yield to the Senator from New Mexico?

Mr. JOHNSON of Colorado. I yield.

Mr. CHAVEZ. With reference to the La Follette amendment, I understand the junior Senator from Colorado to say that that amendment, which purported to take care of municipalities and either State, county, or district governments, is included in the conference report.

Mr. JOHNSON of Colorado. Yes; it is, in substance. I call the Senator's attention to section 13 (a) of the conference report bill.

Mr. BARKLEY. Mr. President, will the Senator from Colorado yield for a moment, although I do not wish to interrupt the sentence?

Mr. JOHNSON of Colorado. I yield.

Mr. BARKLEY. A moment ago the Senator was talking about the disposition of cars. Yesterday my attention was called to a rumor which has been floating around, as do many other rumors, to the effect that, with regard to the disposition of passenger cars, they were to be turned back to some syndicate which would have control of their sale to the public. Because of my absence at the time the bill was under consideration in the Senate, and in the fact that I have been occupied on another conference, respecting another bill, I have not been able to keep in touch with the details of the proposal now being discussed. Is there anything in the bill as reported by the conferees which deals with the disposition of passenger cars as such, or are they separated in any way?

Mr. JOHNSON of Colorado. No; they are not separated in any way.

Mr. BARKLEY. They all come under the general direction of the board, if they are surplus property in the hands of any agency of the Government?

Mr. JOHNSON of Colorado. That is correct.

Mr. BARKLEY. They are to be disposed of under the authority of the board of three?

Mr. JOHNSON of Colorado. That is correct, and the bill does not provide for

turning over anything to syndicates. It contains a provision against monopolies.

Mr. BARKLEY. I should certainly oppose such a provision as I have indicated, and I am satisfied the Senator from Colorado and other Senators would also. It was inconceivable to me that the conferees had brought in a report which carried a provision, or even permission of the law, to turn over perhaps thousands or hundreds of thousands of passenger cars to a syndicate, out of which the syndicate could make profit because they were on the inside. It would be incredible to me that anything such as that could happen, although I heard from a source which I know was sincere in the belief that it was about to happen that large numbers of passenger cars were on the verge of being turned over to a syndicate, or a number of syndicates, to be disposed of by them to the public.

Mr. JOHNSON of Colorado. The antimonopoly provisions of the bill would certainly not permit such a disposal as that, and there is no provision in the bill anywhere which, by any stretch of the imagination, can be interpreted to provide for such a disposal.

Mr. BARKLEY. I appreciate that. It may be merely one of those rumors which circulate around Washington.

Mr. O'MAHONEY. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield to the Senator if he desires to follow up the subject just touched on by the Senator from Kentucky.

Mr. O'MAHONEY. Precisely. I think it might be well to call to the attention of the Senator from Kentucky, in connection with the report, the provisions of section 27 of the bill as reported by the conferees, which is found on page 17, and is designed to make it utterly impossible for any employee of the Government, or any former employee of the Government, to make any profit from the disposition of any surplus property.

Mr. BARKLEY. This rumor did not involve any employee of the Government.

Mr. O'MAHONEY. I am commenting because the Senator referred to insiders. Here is a clear provision intended to make it impossible for insiders of that category to participate in making any profit.

Mr. BARKLEY. I appreciate that, but the rumor related itself more to a suggestion that some outside syndicate, or a number of such syndicates, might be able to get possession of these cars through disposition by the different departments, and in that case, of course, unless the Price Administration should be continued, so as to be able to regulate prices, the public would be at the mercy of such a syndicate which might get any large number of these cars.

Mr. JOHNSON of Colorado. The anti-speculation provisions and the antimonopoly provisions I am sure will take care of that point.

Mr. AIKEN. Will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. Does the Senator from Vermont wish to discuss the point just raised?

Mr. AIKEN. I wish to ask whether there is anything in the bill as it is now

written which would preclude a group with plenty of money getting together and purchasing 5,000 passenger cars, if they were available, and where speculation begins and legitimate purchase and resale leaves off?

Mr. JOHNSON of Colorado. I think that sort of procedure would be entirely contrary to the objectives and purposes of the bill. While it does not in so many words prohibit that kind of a transaction, I am sure that the whole spirit of the bill is contrary to such disposition.

Mr. President, I should like to read a paragraph on page 9, section 18, in regard to small business. It reads:

Sec. 18. (a) It shall be the duty of the Board to devise ways and means and prescribe regulations to prevent any discrimination against small business in the disposal and distribution and use of any surplus property.

I might proceed and quote from many other provisions of the bill which would bear out my contention that there is no such provision in the bill.

On page 5, in section 11, paragraph (e), it is prescribed:

(e) The Board shall prescribe regulations necessary to provide, so far as practicable, for uniform and wide public notice concerning surplus property available for sale, and for uniform and adequate time intervals between notice and sale so that all interested purchasers may have a fair opportunity to buy.

Then there are provisions against speculation.

Mr. AIKEN. The board should understand that it is definitely the intent of Congress that they shall not sell to groups of speculators when the sales could be made through the regular channels of trade to retail dealers and other smaller concerns.

Mr. JOHNSON of Colorado. Yes. The board is instructed to adhere to the objectives of the bill, which are written into the bill itself.

Mr. AIKEN. Then, if the board sold to speculators, it would clearly violate the intent of Congress?

Mr. JOHNSON of Colorado. That is correct; it would violate the spirit of the act.

Mr. CHAVEZ. Mr. President—

Mr. JOHNSON of Colorado. The Senator from New Mexico has a question in regard to the so-called La Follette amendment.

Mr. CHAVEZ. Will the Senator yield to me for a question?

Mr. JOHNSON of Colorado. Certainly.

Mr. CHAVEZ. I notice that on August 25 the La Follette amendment was adopted by the Senate. The amendment is as follows:

The Board may provide, by regulation for reserving for sale or lease to States, political subdivisions thereof, including municipalities, and to tax-supported institutions, such amounts of surplus property as the War Production Board finds necessary to meet their essential needs.

The question is, Is that amendment in the bill now, or is the matter left to the board to decide as an administrative proposition?

Mr. JOHNSON of Colorado. The amendment is not in the bill in that exact

language, but it is in the bill in even stronger language than that the Senator has read. Let me quote now from the bill, page 6, section 13 (a):

Sec. 13. (a) The board shall prescribe regulations for the disposition of surplus property to States and their political subdivisions and instrumentalities, and to tax-supported and nonprofit institutions, and shall determine on the basis of need what transfers shall be made.

Then, couple that with the language on page 8, paragraph (f):

(f) The disposal of surplus property under this section to States and political subdivisions and instrumentalities thereof shall be given priority over all other disposals of property provided for in this act except transfers under section 12.

Section 12 pertains to Federal agencies.

Mr. CHAVEZ. That answers the question. I thank the Senator.

Mr. JOHNSON of Colorado. The point was raised on the floor of the Senate, when the La Follette amendment was proposed, that States and their subdivisions, particularly counties and municipalities, had to work on budgets, and therefore they could not bid against business houses which were dealing on a cash basis, and that they would need a little more time. The conferees considered that complaint very carefully, and thought that the language which I have read in section 13 made it possible for States and their subdivisions to make their purchases. They were given priorities, and the board will have to work out the provisions so that the States will have sufficient time in which to act, because we recognize the fact that they are working on budgets and are not in a position to compete with cash dealers and traders.

Mr. AIKEN. Mr. President, will the Senator answer just one more question?

Mr. JOHNSON of Colorado. I will endeavor to do so.

Mr. AIKEN. It would appear to me that the R. E. A. cooperatives have been eliminated from this section of the act. Does the conference committee consider that they are properly covered in section 17, or are they simply eliminated?

Mr. JOHNSON of Colorado. Is the Senator from Vermont referring to section 17 or to section 12? Section 12 provides for the utilization of surplus property by Federal agencies, and Federal agencies are given priority in the purchase of surplus property.

Mr. AIKEN. Is the R. E. A. considered to be a Federal agency?

Mr. JOHNSON of Colorado. It is in the Department of Agriculture, and the Department of Agriculture is a Federal agency.

Mr. AIKEN. But each cooperative makes its own purchases. The cooperatives are local cooperatives. They may be advised by the Department of Agriculture or by the R. E. A. Federal agency, but that agency can make no purchases for them or secure any property for them.

Mr. JOHNSON of Colorado. No; they are not given the same status as States and their subdivisions or the Federal Government and its subdivisions, but

under the provision dealing with smaller war plants, the Smaller War Plants Corporation could very well take care of them.

Mr. AIKEN. But the only place that I see where they are covered is in section 17.

Mr. JOHNSON of Colorado. That is correct.

Mr. AIKEN. Where it is provided that they are not to be deprived of the opportunity to purchase surplus property. The provision is:

Sec. 17. The Board shall devise ways and means and prescribe regulations in cooperation with the War Food Administrator providing for the sale of surplus property in such quantities in rural localities and in such manner as will assure farmers and farmers' cooperative associations equal opportunity with others to purchase surplus property.

Mr. JOHNSON of Colorado. Yes; and then the proviso that follows.

Mr. AIKEN. But that is the only section of the bill which would carry any reference to the R. E. A. cooperatives, is it not?

Mr. JOHNSON of Colorado. Yes.

Mr. AUSTIN. My colleague's amendment is included.

Mr. AIKEN. That amendment applies only to constructed lines. It would not apply to material such as wire or insulators or transformers.

Mr. JOHNSON of Colorado. That is correct. The reference to cooperatives found in section 17 is the only reference to cooperatives in the bill. The difficulty is in selecting between cooperatives. There are a great many cooperatives. Most of them, I presume, are not organized for profit, and yet some of them are. At any rate the conferees left the cooperatives out of the bill, and placed them on the same plane, on the same level, and having the same opportunities, as other business.

Mr. AIKEN. It is assumed though that under section 17 they would be given at least an equal or perhaps a little better chance to purchase the surplus property?

Mr. JOHNSON of Colorado. Yes; the farm cooperatives.

Mr. AIKEN. Because that is the purpose of section 17.

Mr. JOHNSON of Colorado. Yes. Section 17 pertains to farm cooperatives. That is correct.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question?

Mr. JOHNSON of Colorado. Yes.

Mr. VANDENBERG. What happened to the amendment which I submitted particularly on behalf of the automotive industry, seeking to instruct the cancellation agencies, so far as practicable, to identify in advance the determination of inventories which are to become surplus at the time of cancellation?

Mr. JOHNSON of Colorado. That is to be found in section 36, page 20.

Mr. VANDENBERG. Does it remain substantially in the bill as submitted by me?

Mr. JOHNSON of Colorado. Yes. I do not think the language has been

changed very much from that submitted by the Senator.

Mr. VANDENBERG. I should like to ask the Senator one other question while I have his attention?

Referring to the substitution of a three-man administrative head for this organization in place of a one-man head, I noticed an editorial in the Washington Post this morning which said flatly that inasmuch as that ran counter to the recommendations of Mr. Clayton, and inasmuch as Mr. Clayton had said he could not continue to serve under the new relationship—

He—

Mr. Clayton—

was quite right, we think, interpreting the position taken by the Senate as a vote of no confidence in himself.

Mr. President, I happen to be one of those who think Mr. Clayton is a very able Administrator in the position he has occupied. I happen to be one of those who had hoped that Mr. Clayton would continue. I do not subscribe to the "indispensable man" theory in any branch of the Government, but I think Mr. Clayton has demonstrated his unusual availability for this particular assignment. I should like to hear the Senator say, because I am sure it is so, that the action of the Senate, or its conferees, or the conference committee, is in no sense a vote of no confidence in Mr. Clayton; that there is nothing of the sort involved. Is not that true?

Mr. JOHNSON of Colorado. I am sure that it is. The letter which Mr. Clayton wrote was with respect to the proposal that there be created a board of four, with a tie vote to be broken by the Director of Mobilization, and also an administrator appointed by the President. Mr. Clayton pointed out that, in his opinion, such a plan would not be workable, and he stated that he was not interested in being connected with an organization of that kind. He was not talking about the three-man administrative policy-making board upon which the committee finally agreed upon.

Mr. VANDENBERG. Since the three-man board has been substituted nothing further has been heard from Mr. Clayton?

Mr. JOHNSON of Colorado. Yes; he was quoted in the press, and I presume correctly, that the provision was very much better—I think that was his language—or very much improved, something to that effect, by the change to a three-man administrative policy-making board instead of having both an administrator and a board.

Mr. VANDENBERG. In other words, it might be that the final arrangement would not be so offensive to him that he would still decline to function if it should be the desire of the President to appoint him?

Mr. JOHNSON of Colorado. I should not think that the present set-up would be obnoxious to him at all.

Mr. VANDENBERG. In any event, the Senator has not said what I hoped he was going to say.

Mr. JOHNSON of Colorado. I cannot speak for the Senate; I cannot speak for the Senate conferees; I can speak only for myself. So far as I am concerned, I will say there was no effort to reflect upon Mr. Clayton in any way. I had no such intention and I heard a great many complimentary statements with respect to Mr. Clayton. I do not think the Senate is entirely unanimous on the question of Mr. Clayton. I think some of us feel that he took a rather arbitrary position in this matter. The House passed a bill which he approved from beginning to end. It backed the bill which he wrote. He seemed to think that that bill was the one which ought to be adopted in all its provisions. I do not think the Congress ought to be expected to build a bill around any man, whoever he may be. So I think that Mr. Clayton was talking a little bit out of turn, if I may be permitted to say so, in saying whether he would take this position or not before it had been offered to him and before the Senate could pass upon his confirmation.

Mr. VANDENBERG. That all well may be, but it is beside the point I am making. It will be extremely difficult to find a man as eligible as is Mr. Clayton to serve this tremendous responsibility. I should be unable to support the conference report if it were correctly asserted in the newspapers that I should be thus voting "no confidence" in Mr. Clayton. I will not vote "no confidence" in Mr. Clayton.

Mr. JOHNSON of Colorado. If the Senator places that kind of an interpretation on the conference report, it is most unfortunate, because the conference report contains no such condemnation, either by inference or in any other way. There is no reflection upon Mr. Clayton anywhere in the conference report, and I am sure that that is true of the position of the conferees personally, although I can speak for only one member of the conference committee.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. O'MAHONEY. Let me ask the Senator if, in his judgment, the decision of the Military Affairs Committee, which was followed by the Senate, namely, to support the idea of a Board rather than a one-man Administrator, would have been followed regardless of who the one man might have been.

Mr. JOHNSON of Colorado. Most certainly.

Mr. O'MAHONEY. I served on the committee which drafted the bill, although I was not a member of the conference committee. This is the situation, as I see it: The Senate Committee on Military Affairs was convinced that in a matter of such great importance, involving so much property of such great value, we should not establish a one-man control, but, rather, should establish a control more likely to be representative of the views and needs of all the people of the country, in all their economic and geographical groupings.

Mr. JOHNSON of Colorado. That is the reason why the Senate adopted the Board approach, rather than that of a one-man Administrator. There was no reflection upon any one man.

Mr. BARKLEY. Mr. President, will Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BARKLEY. As I stated a while ago, I was not in a position to be present during the consideration of the bill in the Senate, and therefore I am not so familiar as I should like to be with its details and with the differences between the Senate version and the House bill.

From every standpoint of public service and personal relationship, I should regret to see the conference report, or any legislation which we might enact, interpreted as a vote of "no confidence" in Mr. Clayton. I fear that the editorial in the newspaper this morning went afield in saying that the proposed legislation was equivalent to a vote of "no confidence" in Mr. Clayton. We all know that administrators, even as high as the President of the United States, frequently recommend legislation which, in their judgment, is wise, but with respect to which Congress may have a different opinion. To change a bill from that which is recommended, even by so high an officer as the President, is never regarded as a reflection upon him, or as a vote of "no confidence" in the President.

I have known Will Clayton practically all his life. He started years ago as a young stenographer, about the time I started in the same capacity, at a very modest salary. He has been a very successful businessman. I regard him as a man of the utmost integrity. He does not need an office. He has no financial interest in retaining an office. When he came to Washington under the appointment of the Secretary of Commerce as Assistant Secretary of Commerce and the head of the lending agencies, he disposed of all his interests which would in any way conflict with his duties to the public in the various relationships which he held. I have the greatest personal admiration for his ability, integrity, and good faith. I may not always agree with him. I have not always agreed with him, and probably will not always agree with him hereafter in matters of public policy. But certainly, in my judgment, he is a man of the highest integrity, and of extraordinary ability in his administration of any public office. During World War No. 1 he came here under the appointment of President Wilson, and even a quarter of a century ago occupied a high and responsible position in the First World War economic organization.

I hope that this modified bill is not so contrary to Mr. Clayton's viewpoint as to the proper methods of administering surplus property as to preclude him from accepting responsibility under it. I certainly hope that that is not true. I make that statement with a background of long acquaintance with him and great personal confidence in his ability, integrity, and good faith as a public servant.

I am sure that what the Senator says is true; namely, that in the minds of the conferees, other Members of the Senate, and Members of the House, regardless of any changes which may be made in the original bill as recommended by Mr. Clayton, the action of the Congress is not equivalent to a vote of "no confidence" in Mr. Clayton.

Mr. JOHNSON of Colorado. Mr. President, proceeding with the discussion of other amendments which were offered on the floor of the Senate, the so-called Bankhead amendment with regard to loan rates on cotton, found in section 37, on page 20 of the report, was kept in the bill intact.

The next amendment was the amendment offered by the Senator from Oklahoma (Mr. THOMAS). He offered an amendment with respect to a most unfortunate oil-land situation in his State, which he explained to the Senate. While the Senate conferees were unable to persuade the House conferees to agree to the language submitted by the Senator from Oklahoma, we were permitted to cover the condition described with general language. In subsection (d) (1) (A) on page 13, and subsection (d) (3) on page 14, I think we have covered, in general language, the matter in which the Senator from Oklahoma was interested. I regret that we were not able to preserve the amendment in the language proposed by the Senator and agreed to by the Senate, but we did the very best we could with it.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. THOMAS of Oklahoma. I desire to make a very brief statement, and then ask one or two questions.

The case referred to is as follows: The Navy Department, in establishing training bases throughout the country, condemned a tract of land in Oklahoma embracing approximately 532 acres. The land was to be used as an auxiliary airfield for the training of Navy fliers at the Norman Naval Base.

About the time the land was condemned and the Navy took possession of it, an oil well was brought in close to this particular tract. Immediately the adjacent land was sought after by oil companies and others interested in the development of oil properties. The Navy Department saw that the land would become an oil-producing territory, and decided that it would not be feasible to continue the use of this tract with oil wells surrounding it, because oil wells involve the presence of derricks, which rise to a considerable height. If the trainees had to dodge oil derricks in making landings, the use of the land as an air field would not be feasible, of course; whereupon the Navy Department abandoned the use of the tract, served notice on the House Committee on Naval Affairs that it was through with the land, and suggested that the land be disposed of as surplus land.

A bill was introduced in the House to direct the Secretary of the Navy to return the land to the original owners.

The land had all been condemned. None of it had been sold voluntarily. Some of the farmers did not even accept their checks, because in their opinion the purchase price or the condemnation price was not sufficient to justify them in voluntarily accepting the awards.

The Navy Department appropriation bill when it was passed by this body last June, as I recall, contained an amendment directing the Secretary of the Navy to deed this property back to the original owners, who were farmers. The House conferees refused to accept the amendment, because they claimed it was legislation on an appropriation bill, and they were not favorable to approving Senate legislation on an appropriation bill. So the Senate conferees had to yield, and the amendment went out of the bill.

When the bill now pending came before the Senate recently, the same amendment was offered to the Senate bill. Again the Senate accepted the amendment, and it went to conference.

Now the chairman of the committee of conference explains why the Senate conferees had to give up the amendment and let it go out of the bill. But instead of accepting the concrete amendment directing the Secretary of the Navy to turn the property back to the original owners, the conferees have included some general language which I understand will apply not only to this tract but to other tracts as to which the circumstances might be similar.

On page 13, in section 23 (1), real property is defined. It is defined as land, in the main.

Under subdivision (2) the conference report defines surplus real property as real property which has been determined under section 11 to be surplus property.

Under subsection (c) there is a definition of surplus real property. It is defined as being agricultural, grazing, forest, or mineral lands.

Then, under subsection (d), there is the provision for the disposal of such property. The section provides, as I understand, that the Administrator or the Board, whichever the case may be—in this case the Board—is authorized to return the property to the original owners under one of two conditions: Either at the price which was paid for the land or, if the land has been damaged in any way by the Government, its present price shall be taken into consideration, and whichever is the lower is the price the farmer should pay in order to regain possession of the land.

In this case at Norman, or, more properly, at Moore, the Navy Department hauled and dumped on these farms a vast amount of gravel which, of course, is on the land. The farms on which the gravel has been placed are valueless unless the gravel is removed, and, of course, that would entail vast expense. So that land has been definitely damaged.

As I understand, under the terms of the bill the Board will be authorized to turn the property back to the farmers, if

they want it, at one of these two prices: Either the price at which the Government acquired the property or at the present sale price, allowing for any damage, if damage has been done.

The question is—and I direct this question to the Senator in charge of the bill—Does the Senator believe that the conference report, if adopted, will authorize the Board under the terms of the bill to deal directly with the original owners and to turn back the property under a conveyance—either a warranty or a quit claim—at either the price the Government paid for the property or at the price it is now worth, making allowance for any damage done by the Government?

Mr. JOHNSON of Colorado. That is correct, except for the fact that it is not authorized to do so, but is told or directed to do so. In other words, there will be no discretion in the matter.

Mr. AUSTIN rose.

Mr. JOHNSON of Colorado. I yield to the Senator from Vermont.

Mr. AUSTIN. I suggest one change in the formula. The provision about price is found on page 14 of the report, in subdivision (3), reading as follows:

(3) The price to be paid for surplus real property sold under this subsection shall be a price not greater than that for which it was acquired by the United States, such acquisition price being properly adjusted to reflect any increase or decrease in the values of such property resulting from action by the United States, or a price equal to the market price at the time of sale of such property, whichever price is the lower.

So there are three factors.

Mr. BARKLEY. Mr. President, I should like to ask the Senator whether that provision applies to all lands which have been taken by the Government in the establishment of training camps all over the country.

Mr. JOHNSON of Colorado. Yes; it applies to all surplus lands.

Mr. BARKLEY. As the Senator knows, in many sections of the country, and especially in my own State, some of the finest farming land in certain communities was taken for the establishment of such camps. I have in mind two camps for which the best land in the section concerned was taken because from the topographical standpoint and the physical standpoint it was most suitable for use in connection with the training of men. In one case 40,000 acres were taken, and in another case 36,000 acres were taken. Of course, if and when the camps are abandoned, that land will still remain farm land, and should be returned to the farmers who sold it to the Government, if they still want it. If they do not any longer want it, of course then it will be sold under other conditions.

What I am asking is whether this provision applies to all the lands taken, all over the country, for the establishment of training camps and other facilities which are regarded as more or less temporary.

Mr. JOHNSON of Colorado. That is correct, except that the Federal Government and its agencies and the State governments will have a priority ahead of the original owner, if they should happen to want it for some public purpose.

Mr. BARKLEY. Of course, if the Federal Government wants it, it simply keeps it.

Mr. JOHNSON of Colorado. That is correct.

Mr. BARKLEY. It does not have to have a priority, does it?

Mr. JOHNSON of Colorado. Oh, yes; it does. Because if it is declared to be surplus, and if some other agency wants it, that agency will have a chance to get it. That is also true with respect to State governments and agencies which desire to have the land for public purposes.

Mr. BARKLEY. If a camp should be continued either as a training school, under our vocational or rehabilitation provisions under laws already enacted, or for hospital purposes, under direction of the Federal Government, they could retain it; is that correct?

Mr. JOHNSON of Colorado. That is correct. Otherwise, it will go to the original owner, as has been indicated.

Mr. REVERCOMB rose.

Mr. JOHNSON of Colorado. Does the Senator from West Virginia desire to have me yield to him?

Mr. REVERCOMB. I shall be glad to have the Senator do so for a moment.

Mr. President, the Senator has very clearly brought out the point upon which I started to comment. In other words, the land must be surplus, and the Government must not want it, before it can be disposed of; is that correct?

Mr. JOHNSON of Colorado. That is correct.

Mr. AIKEN. Mr. President, it looks to me as if the provision works both ways, and that if the Government purchased some farm land and greatly improved it, perhaps it was converted into a local airport which will be declared surplus, the former owner could recover it, improvements and all, at the price at which it had been acquired by the Government.

Mr. JOHNSON of Colorado. The bill reads—

such acquisition price being properly adjusted to reflect any increase or decrease in the value of such property resulting from action by the United States.

Mr. AIKEN. Yes; but can it be purchased at the lower price, the original price?

Mr. JOHNSON of Colorado. The purchaser has to pay for the improvements.

Mr. AIKEN. Is the Senator sure that the purchaser has to pay for the improvements, under the language now contained in the report?

Mr. JOHNSON of Colorado. The market price would reflect the improvements which had been made, of course.

Mr. AIKEN. I thought he could buy, under paragraph 3—

Mr. JOHNSON of Colorado. The sentence then reads—

or a price equal to the market price at the time of sale of such property, whichever price is the lower.

Mr. AIKEN. The sale price may be the market price or the price at which it was acquired by the United States, whichever is lower; is that correct?

Mr. JOHNSON of Colorado. Yes.

Mr. AIKEN. Therefore, if the land is worth \$10,000, and if the improvements are worth \$100,000, the purchaser can insist upon buying it for \$10,000.

Mr. JOHNSON of Colorado. No. "Land," as here referred to, does not apply to plants, plant facilities, and things of that kind. They are in a separate category.

Mr. AIKEN. That is what I wanted to make sure of.

Mr. JOHNSON of Colorado. Oh, yes. Plant facilities are placed in an altogether different category.

Mr. AIKEN. Does this provision apply only to the land itself and perhaps to temporary or comparatively useless buildings which are on it?

Mr. JOHNSON of Colorado. It applies to agricultural land.

Mr. PEPPER. Mr. President, I am not sure I did not overlook the provision about war housing. Is that covered by the terms of the Lanham Act?

Mr. JOHNSON of Colorado. Yes; it is. War housing will be handled by its own agency and will be excluded from the matter of surplus-property disposal under the bill.

Mr. PEPPER. For example, I have in mind that the Coast Guard has a number of small craft, some of which were taken over from private owners during the war. What agency would have charge of the disposal of property of that nature? Would the craft have to be declared surplus property by the Coast Guard, for example, and then come into the hands of the Board for distribution?

Mr. JOHNSON of Colorado. Such vessels as the Senator from Florida has mentioned may be disposed of by the disposal agency established for such purpose. The Maritime Commission, however, would be the sole disposal agency for merchant ships and other ships which may be converted into merchant ships.

Mr. PEPPER. Vessels which are normally classified as pleasure craft would not be included, would they?

Mr. JOHNSON of Colorado. No. The disposal agency would dispose of such craft as the Senator has in mind under the general provisions of the bill.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. O'MAHONEY. I wish to ask the Senator, in connection with the matter of real property, whether or not the conferees intended that the Board which is to be established should have the power of determining whether or not any particular land should be returned to the public domain.

Mr. JOHNSON of Colorado. No; the conferees intended that all land taken from the public domain should be returned to the public domain, and that would apply also to land withdrawn from other governmental sources, except land improved by the Government. For example, there might be swamp land or brush land which the Government had improved and made into good agricultural land.

Mr. O'MAHONEY. As the bill passed the Senate, it was clear that lands which had been set aside from the public do-

main for the purposes of war should be restored to the public domain, or to the reservations. I think it is very important, therefore, to have a clear legislative understanding that the conferees did not intend to change that provision. The Senator will remember that as the bill passed the Senate it contained a provision for the classification of lands by the Secretary of the Interior and the Secretary of Agriculture. As the bill now comes from the conference committee it places the duty of classification in the Board.

Mr. JOHNSON of Colorado. Yes; but the Board is directed to go to the Federal agency affected, and it was understood by the conferees that in this particular matter the Board would seek assistance from the Department of the Interior and the Department of Agriculture in classifying the lands.

Mr. O'MAHOONEY. I am glad the Senator from Colorado has called specific attention to that fact. I was about to allude to paragraph (d) of section 3, which appears on page 3 of the report. It reads as follows:

(d) The term "property" means any interest, owned by the United States or any Government agency, in real or personal property, of any kind, wherever located, but does not include (1) the public domain, or such lands withdrawn or reserved from the public domain as the Surplus Property Board (created by section 5), determines are suitable for return to the public domain for disposition under the general land laws, or (2) naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers, and submarines.

That would seem to clothe the Board with complete power to determine whether or not lands should be returned to the public domain. I understood the Senator to say that it was the intention of the conferees that the proper Government agency—in this instance the Department of the Interior—would be consulted with respect to the classification of lands and that, unless its character had been changed by the Government agency which had charge of or used the land, it would be returned to the public domain.

Mr. JOHNSON of Colorado. The Senator is correct. I should like to invite his attention to section 7, on page 4, of the report, reading as follows:

Sec. 7. The Board shall advise and consult with other interested Government agencies with a view to obtaining all aid and assistance possible in coordinating the functions of the several agencies affected by the disposition of surplus property.

With regard to the point of how much discretionary power the Board is given in connection with the return of land, as I understood, the conferees took the position that public domain land would be returned to the agency which had formerly possessed it, except such land as had been changed in character by the Government after the Government had taken over the land. A question regarding that matter was asked by Mr. MANASCO, chairman of the House conferees, and he clarified the point in debate yesterday in the House.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. HATCH. I have before me Representative MANASCO's reply. To my mind it does not clarify the matter at all. Representative MANASCO was asked, "Is the Surplus Property Board the one that is going to determine that?" The reference, of course, was to the land to be returned to the public domain. Representative MANASCO replied, "Of course, the Board will consult with the interested people and agencies."

That is a long way from what the Senator from Colorado has said. The Surplus Property Board will determine what land is to be returned to the public domain, but it may or may not consult with the agencies concerned. I like the explanation which the Senator from Colorado has made, but I am not clear in my own mind as to what he means by changing the character of the land.

Mr. JOHNSON of Colorado. For example, some of the land which has been taken over by the Government has been improved. It may have been swamp-land or brush land, and during the Government's occupation of it, may have been drained, and may now be good agricultural land.

I should like to invite the attention of the Senator from Wyoming and the Senator from New Mexico to the additional fact that the department, or any other agency which receives the land, will have to pay for it. They cannot get it merely by having it turned over to them; they have to purchase it.

Mr. McKELLAR. Mr. President, if that point has been settled, I should like to ask a question. Will the Senator state whether or not the bill takes the place of present laws which allow certain departments or agencies to sell their surplus property? For instance, let us take any one of the agencies, such as the War Production Board, or any other board or independent agency, or even department of the Government. As I understand, a number of these now have the power to sell. When this bill shall have been enacted, will that power be transferred to the board provided for in the bill, or what will the situation be? Will the other independent agencies or departments be able to sell their surplus property as before?

Mr. JOHNSON of Colorado. The answer is found in section 34 (a) on page 19, which reads as follows:

The authority conferred by this act is in addition to any authority conferred by any other law and shall not be subject to the provisions of any law inconsistent herewith. This act shall not impair or affect any authority for the disposition of property under any other law, except that the Board may prescribe regulations to govern any disposition of surplus property under any such authority to the same extent as if the disposition were made under this act, whenever it deems such action necessary to effectuate the objectives and policies of this act.

Mr. McKELLAR. Then I understand that this is merely in addition to all the laws giving the several agencies and departments the right to dispose of their property.

Mr. JOHNSON of Colorado. Yes, except that the Board by regulation may bring the disposal of other lands under the provisions of the proposed act.

Mr. McKELLAR. I will state very frankly to the Senator what is running through my mind. I had hoped that this would be an exclusive law, because I think the sale of all surplus property should be in the hands of one agency. It would be very much better than to have each agency of the Government selling its own surplus property, and the proposed board merely being an additional agency for that purpose.

Mr. JOHNSON of Colorado. The effect of paragraph (a) is to centralize all the authority for the disposal in the Board during the 3 years of the life of the act.

Mr. McKELLAR. It merely says they "may" do it. It does not say they "shall" do it. It would be necessary to go to court to get a determination that "may" in that particular sentence meant "shall", and I do not know whether a court would give such a decision. It would depend on circumstances. It seems to me it is very unfortunate that the Board should not have complete authority, and state the rules and regulations under which the sales should be made.

The selling of Government property is always attended with trouble, insofar as the agencies of the Government are concerned. The Senator may not recall, because he was not a Member of the Senate at the time, but after the last war many scandalous things occurred about the sale and resale of Government property, and I had very much hoped that the bill before us would provide that the agency to be set up, and that agency alone, should be responsible for the sale of surplus property.

Mr. GEORGE. May I ask the Senator from Colorado a question?

Mr. JOHNSON of Colorado. I yield.

Mr. GEORGE. As the bill passed the Senate, my recollection of it was that lands acquired even under the Weeks law might be sold by the disposal agency.

Mr. JOHNSON of Colorado. Under what law?

Mr. GEORGE. Under the Weeks law, lands acquired at the headwaters of navigable streams, national forests. In other words, it was not confined to lands purchased by the Government for military purposes, or for war purposes, but it was broad enough by its terms to cover, and actually did cover, lands acquired under the Weeks law.

Mr. JOHNSON of Colorado. If they were declared surplus, but they would have to be declared surplus before the proposed law could affect them, because the law will be confined entirely to surplus property and surplus land.

Mr. GEORGE. It is confined to surplus military property, or property acquired for military purposes?

Mr. JOHNSON of Colorado. No, surplus United States property, which the owning agency itself declares surplus.

Mr. GEORGE. Is there a limitation put upon property as to the time when it was acquired?

Mr. JOHNSON of Colorado. No.

Mr. GEORGE. The Forestry Service, which administers the national forest reservations, called my attention to the matter, and I brought it to the attention of the conference. I think I submitted

a letter to the Senator from Alabama [Mr. HILL], who was on the conference. I understood that the matter had been corrected in conference, so that no lands, for instance, acquired for reforestation purposes, at the headwaters of navigable streams, under what we know as the Weeks law, which law has been in existence for quite a number of years, could be taken over and sold or turned over to any other agency.

Mr. JOHNSON of Colorado. It could not be unless it were declared surplus.

Mr. O'MAHONEY. Let me interrupt to say that I saw the protest on the part of the Department of Agriculture to which the Senator from Georgia referred, and I felt at the time that there was nothing in the Senate bill which justified the position which was taken with respect to such lands purchased under the Weeks law, because any land held by the Department of Agriculture, under whatever law acquired, could not possibly be affected by the bill as it passed the Senate, unless the Department of Agriculture itself positively declared it surplus. There was nothing in the bill as it passed the Senate which authorized the Surplus Property Administration to reach over into the Department of Agriculture or into any other department and take land and declare it surplus.

Mr. GEORGE. I know that the Department of Agriculture had very great concern about it.

Mr. O'MAHONEY. I know they were disturbed about it.

Mr. GEORGE. The Forestry Service took the matter up with me personally.

Mr. JOHNSON of Colorado. Let me call the attention of the Senator to the language in section 18, subsection (a), on page 5, which provides:

SEC. 11. (a) Each owning agency shall have the duty and responsibility continuously to survey the property in its control and to determine which of such property is surplus to its needs and responsibilities.

At no place in the conference report is the Board given any authority to go into any owning agency and declare property surplus. They can complain to Congress; they can make a report to Congress that they think an owning agency is holding out on them.

Mr. GEORGE. As I understand, then, the bill abrogates the entire scheme set up under the Weeks law, to provide for the sale and exchange of property which the Forest Administration does not wish to keep for forestry purposes; it supersedes that entirely?

Mr. O'MAHONEY. If I may interrupt, my opinion is that it does not. As a matter of fact, I will say to the Senator from Georgia—and this is a matter to which I have personally called the attention of the Senator from Colorado—the bill as reported by the conferees lays a positive injunction upon the disposal authority to give any Government agency any land it wants, which seemed to me to be an utter abandonment of the position which the Senate had originally taken. If the Senator will bear with me, I shall point out what I have in mind.

Section 12 (a) of the conference bill, found on page 6, reads as follows:

SEC. 12. (a) It shall be the duty of the Board to facilitate the transfer of surplus property from one Government agency to other Government agencies for their use; and the transfer of surplus property under this section shall be given priority over all other disposals provided for in this act.

Surplus property has been defined to include real property. So in section 12 (a) there is a positive injunction to the Board making it its duty to facilitate the transfer of surplus real property from one Government agency to another, and such a transfer is given priority over all other demands.

On page 13 of the report, in section 23—the section which deals with the disposal of surplus real property—paragraph (b), we find this provision:

Surplus real property which is not disposed of to Government agencies under section 12 or to States or their political subdivisions or instrumentalities under section 13 shall be disposed of in accordance with this section.

So, in two portions of the bill it is stated in words which cannot possibly be misunderstood, that surplus real property goes first to Government agencies which want it; that it is the duty of the Board to facilitate the transfer to such agencies; and moreover that surplus property cannot be disposed of to anyone if any Government agency or any State or municipality sets up a prior claim.

Mr. JOHNSON of Colorado. That is correct, and there is another provision in section 12 (c) requiring that land be paid for, and, therefore, so as far as a Government agency is concerned, Congress would have to appropriate the money before some other agency of Government could take land which was declared surplus.

Mr. GEORGE. No; not under the Weeks law. That is a well-worked-out program under which the Forest Service, which is in the Department of Agriculture now, could exchange land which it held for other land. If under the Weeks law it had bought certain land in a national forest, and after having purchased the land it discovered that it could make an exchange for an equal or possibly superior number of acres of other land which was better suited for that particular forest and the particular purpose, the Forest Service could make the exchange. As I understand the present language, in that sort of a situation the Board takes over the full authority to handle the piece of property.

Mr. JOHNSON of Colorado. No; I am sure that is not the case.

Mr. O'MAHONEY. There is nothing in the bill which would uphold any such interpretation.

Mr. GEORGE. It has become surplus for that purpose.

Mr. O'MAHONEY. It cannot become surplus unless the Forest Service declare it to be surplus.

Mr. GEORGE. They do declare it to be surplus and make an exchange for other land.

Mr. O'MAHONEY. No; they have authority of law now under the Weeks law to make transfers of property. Nothing in this bill would affect that.

Mr. GEORGE. That is what I am inquiring about.

Mr. O'MAHONEY. And I am trying to allay the Senator's fears, because the provisions of this bill with respect to the action of any Government agency in declaring any property surplus would apply only where for the purposes of the bill the agency desires to declare it surplus, and certainly would not apply where the agency was otherwise authorized by law to use land for the purpose of exchange in acquiring other land.

Mr. GEORGE. Yes; but I understood the Senator from Colorado to say a moment ago that this language superseded all other provisions of law with respect to the handling of any properties which the Government agency desired to get rid of.

Mr. JOHNSON of Colorado. No.

Mr. GEORGE. Then I misunderstood the Senator.

Mr. JOHNSON of Colorado. The Senator from Colorado did not say that. If I may call the attention of the Senator from Georgia to section 11, subsection (a) again, he will note that the language is "and to determine which of such property is surplus to its needs and responsibilities."

That responsibility refers directly to the Weeks law, and it is the responsibility of the agency to make the transfer if it thinks it is in the public interest.

Mr. GEORGE. I had the general impression that this bill was supposed to deal with surplus war properties; that is, properties acquired for war purposes.

Mr. GURNEY. Mr. President, will the Senator from Colorado yield to me?

Mr. JOHNSON of Colorado. I yield.

Mr. GURNEY. There is a provision in the bill which I think will settle the question. If the Senator will turn to page 19 of the conference report, section 34 (b), he will find a saving clause, "Nothing in this act shall impair or affect the provisions of." Then a number of laws are mentioned. And the next to the last line in that clause begins "the statutes relating to the public lands."

So nothing in this measure would affect the Weeks law. It is so stated, I believe.

Mr. GEORGE. That was the point of my inquiry.

Mr. GURNEY. I believe that section 34 covers the point exactly.

Mr. GEORGE. There was very grave concern as to whether the bill would not apply to land acquired for reforestation purposes under the Weeks law.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. WHERRY. I will ask the distinguished Senator from Colorado if he has reached the point of stating what became of the amendment which was presented in the form of a bill, which amendment would require that all moneys received or recaptured from the sale of surplus property should be applied upon

the Government war debt? Has the Senator reached that point yet?

Mr. JOHNSON of Colorado. Yes; I am ready to discuss that point. That was one of the matters upon which the conferees on the part of the Senate had to compromise with the conferees on the part of the House. The House conferees objected to that provision remaining in the bill, and the Senate conferees had to recede.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. AUSTIN. I want the distinguished Senator from Colorado to bear me out in this particular, that every Republican vote in conference on both the Senate and House side was in favor of that provision, but the Republican conferees on both the House and the Senate side were unsuccessful.

Mr. JOHNSON of Colorado. That is correct. The minority party representatives, both of the House and the Senate, supported the position of the Senator from Nebraska.

Mr. WHERRY. Mr. President, will the Senator yield further?

Mr. JOHNSON of Colorado. Yes.

Mr. WHERRY. I should like to make a statement with respect to the amendment, if the Senator will indulge me. We have been here a long time this afternoon, and we have talked about many subjects. I think, however, there is none more important to the home front. I think the amendment to which I refer should not be deleted from the bill. I should like to review briefly the amendment.

The amendment was first introduced in the form of a special bill by Representative HERTER, of Massachusetts, and referred to the Committee on Ways and Means in July of this year. As is customary with such bills, it was sent to the Treasury Department for comment. The Treasury comment, as received a few days later by the Ways and Means Committee, indicated that the Treasury Department did not agree with the theory of the amendment.

When the surplus property disposal bill was reported from the Committee on Expenditures in the Executive Departments, Representative HERTER, of Massachusetts, was urged by members of the Ways and Means Committee to offer his bill in the form of an amendment. It was so offered, and received the approval of the House of Representatives by an almost unanimous vote.

An identical amendment was offered in the Senate by me to the surplus property disposal bill, when we were considering that measure. It received the approval of this body with almost no objection. I shall have to state that the senior Senator from Colorado certainly voted against the amendment, and we could all hear his voice in the Senate that afternoon when he voiced objection, but the amendment was adopted almost unanimously by the Senate.

That is, generally, the history of this amendment. It would require the earmarking of funds realized from the sale of surplus property.

It might be well to note in passing that W. L. Clayton, to whom we have heard such flattering and glowing compliments paid on the floor of the Senate today, testified before the Military Affairs Committee. He expressed his full approval of having the proceeds from the sale of surplus property apply to the reduction of the debt. The pending legislation, after having been passed by both Houses of Congress, then went to conference, and we now find the conference report back before us for our consideration, with the amendment concerning which I am speaking, deleted—an amendment which, generally speaking, had the almost unanimous endorsement of both Houses of Congress.

In that connection, I should like to point out to Members of the Senate rule XXVII, section 2. Let me read it:

Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses. If new matter is inserted in the report, or if matter which was agreed to by both Houses is stricken from the bill, a point of order may be made against the report, and if the point of order is sustained, the report shall be recommitted to the committee of conference.

Let me say to the distinguished Senator from Colorado that I shall not make the point of order. I realize that there are some highly controversial provisions in the bill, and in the main I feel that the conference committee has done a fine job. I wish to go along with them.

However, I believe that under rule XXVII a point of order could be made. It might not be sustained, but I point out to the membership of the conference committee that the identical amendment passed both Houses of Congress. That being true, it seems to me that the conferees should have retained the amendment, and that it should not have been deleted from the bill.

As I stated a moment ago, I do not expect to make the point of order against the conference report. The hour is growing late, and the Senators are restless to get away.

I repeat that it is as important that we take up matters on the home front as it is to discuss things on the foreign front. This conference report deals with property disposal to the extent of \$103,000,000,000. It is one thing to recapture the funds, and it is another thing to apply them to the reduction of the debt, where they should be applied.

The Treasury Department opposes this amendment. It passed the House and the Senate, and then the Treasury Department said, "No." I read an editorial on this subject in a Washington newspaper the day after the bill passed the Senate. The Treasury Department stated, in a press release, that the amendment would be ineffectual, and should be deleted from the bill. It has opposed the amendment from that time until the present, and it has finally succeeded in having it eliminated from the bill. I believe it is a good thing. I believe that we should become debt conscious in the United States.

Mr. President, we shall come out of this war with a Federal debt of between

\$250,000,000,000 and \$300,000,000,000. It will be incomparably the greatest debt that was ever placed on the shoulders of the American people, or any other people.

I assume that no Senator will disagree with the statement that a nation's credit is exactly like that of an individual, in that there must be the intention to pay honest debts, whether they be private or public. We owe this money. Do we mean to pay it back? Do we mean to liquidate any part of the national debt? If we do, do we mean to give the American people evidence in the Congress that we intend to do so?

Finally, Mr. President, could there be a better time to start, or a better way of starting to evidence the intention of paying the debt than to recover these moneys from the sale of surplus property and materials and place them in a special fund to be devoted to the reduction of the Federal debt? That debt hangs like a millstone around the neck of the Nation and of every citizen of the Nation.

An editorial was recently published in the Washington Pathfinder which pointed out that every baby in this land owes approximately \$2,000 the day he is born. That is his or her share of the Federal public debt. If we assume a family of five, that means that every such family in the United States has a \$10,000 mortgage on the family assets and the future family earnings to pay the present debt in this country.

The American people will be made conscious of the tremendous public debt if these huge sums are collected and placed in a fund to be devoted to the reduction of the debt. If the funds are not so devoted there is no reason why the American people should be debt-conscious. There would be no reason why they should not join in the fallacious, vicious, and thoroughly dangerous theory that we can go on spending and spending, and never think about the national debt. In that direction lies national insolvency and bankruptcy. No less an authority than Franklin Delano Roosevelt himself has made that statement over and over again.

The Congress, acting for the American people, appropriated moneys for the prosecution of the war. Those moneys were expended for plants, tools, ships, materials, and machinery of all kinds. More plants were built than will be needed. More tools were built than will be needed. More raw materials were bought than will be needed. We have no quarrel with that policy because in war we must play safe.

However, let me point out to the membership of the Senate that as soon as such materials become surplus, after having served the purpose for which the moneys were spent, the proceeds from the sale of surplus properties and materials ought, in normal course, to be recaptured and paid on the public debt.

The whole point of my amendment is that the theory of deficit spending—the idea that we can borrow and spend ourselves back into a condition of solvency—is so dangerous that I believe that the American people will rise up

and demand that, like any prudent citizen, the Government apply all the assets it receives from the sale of surplus property to the reduction of the public debt. That debt will demand interest service. Interest service means taxes. So instead of encouraging spendthrifts in the bureaus to use billions of dollars to start new political W. P. A.'s or to give the money away to U. N. R. R. A., or use it to start a world W. P. A., let us apply these funds, when received, to the reduction of the debt, and at the same time reduce the interest burden which the taxpayer must carry through untold generations.

If there is a single, solitary argument of any validity against this money being so applied, it has not been advanced on this floor. American citizens have been persuaded to buy billions of dollars' worth of bonds. How long can the Government continue to sell bonds and pledge its credit if no start is made and no intention is evidenced toward reducing the huge debt, or toward an early effort to stop deficit spending and managed credit in this country? If we make provision now to start retiring the public debt, and we in Congress, along with the American people, become debt conscious, it will naturally follow that the credit of our Government will be much improved.

Mr. President, the greatest danger which exists today to the solvency of this Nation is the grab-bag system now in effect, and the "gimme" attitude of the executive departments of government toward the Congress. Unless the general funds of the Treasury are appropriated by the Congress, there will be no check on their expenditure. Unless the special funds under discussion are converted into a fund for the reduction of the debt, we shall see years pass before any attempt is made to set up such a fund. There could be no better time than now to make a start in that direction; and no source of funds is more ideally adapted to the reduction of the public debt than funds derived from the sale of surplus property. Let us remove from the executive departments of the Government both the temptation and the power to use these funds under the grab-bag system. Let us apply them to the reduction of the public debt.

I do not see why these moneys should not be covered into a special fund for the reduction of the debt. I do not believe that a valid argument could be made against the purpose of the amendment or the way in which it would operate.

In discussing the Treasury Department's objections to this amendment, I invite the attention of the Senate to a paragraph taken from the Baruch-Hancock report dealing with this subject. It appears on page 64 of the report, under the heading "Lower Debt":

#### LOWER DEBT

All of the war surpluses will have been paid for by the American public either through war taxes or the increase in the national debt. Therefore, the proceeds of all sales should go to reduce that debt, lowering the post-war carrying charges which will have to be met through taxation. Certainly

no agency should be permitted to sell surpluses and use the proceeds for other purposes.

It is a matter of common knowledge that it has long been a legislative practice to earmark funds. Even in appropriating funds, Congress sets forth how the funds shall be used. In effect, this amendment would reappropriate the funds recovered, and would provide for their application in the reduction of the national debt.

There is nothing unusual about this procedure or this legislative practice. It is the experience not only of our National Government, but also of our State governments, counties, municipalities, and all other governmental subdivisions. It is a very good private practice.

One theory is that all the money goes into the Treasury, payments are made from the Treasury on the debt, and it makes no difference whether these funds are recaptured and placed in a special fund or whether they are placed in the general fund of the Treasury and then paid out. There is as much difference between that theory and the theory of this amendment as there is between day and night. If a person wishes to pay a private debt, if he has a salary of \$3,000, he sets aside \$100 a year, or \$100 a month, and places it in a special fund. When the debt becomes due, he pays it. If he depends upon putting it in the general fund with the rest of his \$3,000, when the time comes to pay the debt he will not have the money. He will have used it for something else. The general fund is the grab bag.

During an appearance by Mr. Warren, Comptroller General, before the House Committee on the Civil Service, in the course of his testimony at the hearing on June 3, 1943, in speaking generally of appropriation and accounting practices, he stated:

Under the gentle guise of war, the word "economy" has been deleted from the dictionary (p. 458).

Thrift and prudence, ordinary prudence in the expenditure of other people's money, has gone out of the window.

The country is in the grip of the cost-plus-fixed-fee contractor. He is writing his ticket and he is getting what he writes.

... it is a fact that thousands of people are down here in the Government from private business. I do not mean to condemn their actions or motives, but I do say that sometimes the contracting officials for the Government are either nitwits or else.

I do not want to see anyone lose, and I realize that in mammoth undertakings that are going on they have to be treated more or less sympathetically; but some day, sometime, I want to see more people in the employ of the Government who are looking out for the Government. It is time some of them are concerned about the people who pay the taxes.

My observation is that Congress has practically no information on how the appropriated money is being spent. Members of the Appropriations Committee will tell you that it is a hit-or-miss affair with them in the development of the various appropriation bills (p. 459).

You have practically no idea of what is going on in any agency, including the General Accounting Office, when you vote these enormous appropriations; it is merely a hit-or-miss affair (p. 460).

I think Congress ought to be informed.

Congress has created a Frankenstein that has become greater and more powerful than its creator. (Referring to want of respect for law and want of cooperation with Congress (p. 465)).

Mr. President, the money spent for the purchase of the materials which are now surplus is already a part of the national debt. The people are already paying taxes on that debt. This is the one way which will not cost the American people a dollar, but will save them money, by starting to reduce the Federal debt. If we place the money obtained from the sale of the surplus property in a special fund for the reduction of the public debt—we do that in the case of other Government agencies, and there is just as much reason to say that in the case of those agencies such action is unnecessary because otherwise the money goes into the General Treasury anyway, as it is to say that would be the case in this instance—it will cause the American people not only to know how much money is being received from the sale of their surplus property, but how much money is being paid annually to reduce the debt. That is the way to make them debt conscious. That is the way to make a start toward stabilizing our financial economy, which certainly is sadly bent on the home front.

For 10 years we have been under the spend-and-spend, tax-and-tax doctrine. The attempt to kill this amendment is an indication of the attempt to perpetuate that doctrine into the post-war period which is to come. This deficit spending, this credit management, will be continued in the post-war period if the administration is to have its way relative to this amendment.

There is no reason why we should be extravagant in time of war, except that the administration has lost all sense of proportion. But there is every reason, because war is a colossal waste, that the most rigid economy consistent with the war effort should be practiced.

Let us not forget that every dollar that is wasted must be paid back in toil; it must be paid back in sweat; it must be paid back in sacrifices by our citizens and privations of our citizens, just the same as every dollar which is well spent. Wasted billions, as well as other billions, all comprise the colossal public debt of which we are speaking.

Some Senators argue to the membership of the Senate that it is sound simply to say that the theory to which they subscribe is different from the theory of the Treasury, whose theory it is that the size of the public debt does not make any difference; that it is merely a bookkeeping proposition; that there is no difference. But that is no reason why the conferees should delete the amendment from the provisions of the bill. Both Houses passed this measure. Both of them felt that it was in the interest of stabilizing our economy. Both Houses felt that it would make the public debt-conscious. After all, that is the point of the amendment. If we are going to make a start toward paying our debt, and if we are going to have our Government continue to keep its credit good and be able to sell bonds somewhere, somehow, we must have a balanced Budget, and we

must take in more than we spend, and we must realize that a private debt and a public debt are the same, and must be paid.

Mr. JOHNSON of Colorado. Mr. President, I would concur in the views of the Senator from Nebraska if he would accompany his proposal regarding the public debt with a proposal for a reduction in the debt limit or if he would couple his proposal with one for curtailment of appropriations by Congress. But he does not do so.

I do not care to discuss the matter any further at this time, but I now request unanimous consent to have printed at this point in the RECORD a statement by the Treasury Department relative to this proposal.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE TREASURY DEPARTMENT,  
Washington, September 1, 1944.

HON. ELBERT D. THOMAS,  
Acting Chairman, Committee on  
Military Affairs, United States Senate,  
Washington, D. C.

MY DEAR MR. CHAIRMAN: We wish to present for the consideration of the conferees on H. R. 5125 the urgent recommendation of the Treasury Department for the deletion of the requirement that proceeds from the disposition of surplus property be credited to a special fund which shall be used exclusively for the reduction of the public debt.

The acceptance of this recommendation would call for the deletion from section 27 (a) of H. R. 5125, as passed by the Senate with amendments, at page 75, lines 6 to 8, of the words "to the credit of a special fund which shall be used exclusively for the reduction of the public debt," and the substitution thereof of the words "as miscellaneous receipts."

The requirement for the creation of a special fund purportedly for public-debt reduction would be wholly ineffective to accomplish that purpose and would not make available a single dollar for the actual reduction of the public debt. Giving that provision its most extravagant application, then during the present period of deficit financing it would have to be fulfilled by the futile mechanical measures of applying the special fund to retire a given amount of outstanding public debt while simultaneously offering additional public-debt obligations to recoup the same funds in order to meet Government expenditures required by congressional appropriations not covered by the proceeds of revenue measures enacted by Congress. A more reasonable interpretation, and the one which would be adopted by the Treasury Department, would result only in a series of complicated book entries without any actual debt reduction until such time as current receipts should exceed expenditures. In sum, the provision would be void of any substantive result; it would be misleading if it were currently received as a measure which would realize its stated objective; and its sole effect would be to require complex and unnecessary book entries.

The Treasury Department, in previously recommending against the enactment of this proposal, stated its purpose to present to Congress, so soon as relief from the burden of extraordinary war expenditures would permit, recommendations for the establishment of a sound sinking-fund policy in the light of conditions then existing. It is neither timely nor desirable during the current deficit period to enact purported sinking-fund or debt-retirement provisions which must necessarily be futile and which might militate

against the establishment of adequate and sound provisions at the appropriate time.

Very truly yours,

D. W. BELL,  
Acting Secretary of the Treasury.

Mr. JOHNSON of Colorado. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a communication in the form of a telegram received by me from the Senator from Utah [Mr. THOMAS] relative to having the bill require observance by the Board of the provisions of the civil-service laws and the Classification Act. I also ask unanimous consent to have my telegraphic reply to the telegram of the Senator from Utah printed at this point in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., September 17, 1944.  
HON. EDWIN C. JOHNSON,  
United States Senate,  
Washington, D. C.:

I have sent the following telegram to Congressman MANASCO of the House conferees. I trust that it will meet with your approval and that you can meet at the specified time.

"On reading over the final print of H. R. 5125 I notice on page 8, lines 4 to 12, that we have probably inadvertently copied the wording of the original R. F. C. law which would make it possible for the Board to ignore the provisions of the civil-service laws and the Classification Act. Neither the House bill nor the Senate bill, as I remember them, carried this provision as it is stated here. I am sure, therefore, that before the conference report is presented to the two Houses the conferees would like to reconsider changing these lines. I am, therefore, asking if you will please preside Monday the 18th at a meeting in the Senate Military Affairs room at 10 o'clock and put this matter to the conference. I am sending a copy of this telegram to all the conferees and to the respective legislative counsels so that they may consider it a call for a meeting before the reports are made. I am leaving for the train so I cannot meet with you. Whatever action you take I shall be happy to sign with you, thus the signature blanks will not have to be changed. I trust that these words can be changed in such a way that we will not do violence to our governmental policies of the past many years."

Regards.

ELBERT D. THOMAS,  
United States Senate.

SEPTEMBER 18, 1944.

Senator ELBERT D. THOMAS,  
Care of F. Gerald Thomas,  
Chicago, Ill.:

Upon receipt of your telegram I got in touch with the vice chairman of the conference, Mr. MANASCO. He had already received a similar telegram and had talked with other House conferees. He refused to call another conference because the conference report had already been filed in the House and therefore the conferees were powerless to make changes. He furthermore said that the language on page 8 was discussed at length in conference and was agreed upon as written and that language was the way a majority of the House conferees wanted it. He pointed out also that all the ordinary employees of the Board would be taken from civil-service lists under the present language and only the specialists selected outside of civil service.

ED. C. JOHNSON.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. TUNNELL in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### RECESS

Mr. BARKLEY. Mr. President, in view of the lateness of the hour, I shall not move an executive session.

I now move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 17 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, September 20, 1944, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate September 19 (legislative day of September 1), 1944:

##### DIPLOMATIC AND FOREIGN SERVICE

George Wadsworth, of New York, now diplomatic agent and consul general at Beirut and Damascus, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Lebanese Republic and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Republic of Syria.

##### POSTMASTERS

The following-named persons to be postmasters:

##### ALABAMA

Mary M. Davis, Chunchula, Ala. Office became Presidential July 1, 1944.  
Lee J. Clayton, Jr., Eufaula, Ala., in place of H. L. Upshaw, resigned.  
Sallie J. Richardson, Krafton, Ala. Office became Presidential July 1, 1944.  
Ruth P. Carter, Myrtlewood, Ala. Office became Presidential July 1, 1944.  
Annie B. Fitch, Snow Hill, Ala. Office became Presidential July 1, 1944.

##### ARKANSAS

Wayne S. Ross, Gillham, Ark. Office became Presidential July 1, 1944.  
William E. Surginer, Hensley, Ark. Office became Presidential July 1, 1944.  
Lucile D. Hopper, Leola, Ark. Office became Presidential July 1, 1944.  
Jesse A. Poyner, Maynard, Ark. Office became Presidential July 1, 1944.  
John M. Freeman, Mount Holly, Ark. Office became Presidential July 1, 1944.  
Loys V. Halbert, Prattsville, Ark. Office became Presidential July 1, 1944.  
John C. Howe, Wabash, Ark. Office became Presidential July 1, 1944.

##### CALIFORNIA

Marie A. Shane, Boyes Hot Springs, Calif. Office became Presidential July 1, 1944.  
Charles E. Faulhaber, Mira Loma, Calif. Office became Presidential July 1, 1944.  
Mila Galbraith, Ridgecrest, Calif. Office became Presidential July 1, 1944.  
Carolyn H. Campbell, Tustin, Calif., in place of S. H. Long, removed.

## COLORADO

J. Glenn Bell, Rye, Colo. Office became Presidential July 1, 1944.  
George R. Simon, Seibert, Colo., in place of Meryl D. Haynes, transferred.

## CONNECTICUT

Warren A. Wilcox, East Granby, Conn. Office became Presidential July 1, 1944.  
Phillip T. Lewis, East Killingly, Conn. Office became Presidential July 1, 1944.  
Edgar J. Proulx, Goodyear, Conn. Office became Presidential July 1, 1944.  
William Liberty, Voluntown, Conn. Office became Presidential July 1, 1944.

## FLORIDA

Edward O. Sawyers, Zolfo Springs, Fla. Office became Presidential July 1, 1944.

## GEORGIA

Hardy L. Holland, Register, Ga. Office became Presidential July 1, 1944.

## IDAHO

George H. Wylie, Deary, Idaho, in place of Emory Olson, deceased.  
John E. Trimming, Pocatello, Idaho, in place of A. H. McGuire, removed.

## ILLINOIS

E. Loraine White, Donnellson, Ill. Office became Presidential July 1, 1944.  
Levi C. Robinson, Gardner, Ill., in place of T. E. Horrie, deceased.  
Jananne McDonnell, Laura, Ill. Office became Presidential July 1, 1944.  
Genevieve L. Guess, Thebes, Ill., in place of M. B. Youart, deceased.  
Florence R. Anderson, Wood Dale, Ill. Office became Presidential July 1, 1944.

## INDIANA

Hazelle C. Becher, Corunna, Ind. Office became Presidential July 1, 1944.  
Joseph L. Peters, Marysville, Ind. Office became Presidential July 1, 1944.  
Robert Ervin Stephens, Sr., New Richmond, Ind. Office became Presidential July 1, 1943.  
Eileen Studer, Shelby, Ind. Office became Presidential July 1, 1944.

## IOWA

Harry Eckhardt, Avoca, Iowa, in place of Daisy Oldham. Incumbent's commission expired June 23, 1942.  
Benjamin H. Rowe, Beaman, Iowa. Office became Presidential July 1, 1944.  
Loretto Erickson, Duncombe, Iowa. Office became Presidential July 1, 1942.  
Harry W. Christians, Grafton, Iowa. Office became Presidential July 1, 1944.  
Edward J. Dowling, Lanesboro, Iowa. Office became Presidential July 1, 1944.  
John Schneider, Popejoy, Iowa. Office became Presidential July 1, 1944.  
Alfred T. Guddall, Thor, Iowa. Office became Presidential July 1, 1944.  
Lora L. Johns, Tracy, Iowa. Office became Presidential July 1, 1944.

## KANSAS

Elizabeth C. Keating, Fulton, Kans. Office became Presidential July 1, 1944.  
Joseph A. Trudell, Morganville, Kans. Office became Presidential July 1, 1944.

## KENTUCKY

George C. Cawood, Cawood, Ky. Office became Presidential July 1, 1944.  
Benjamin S. Berger, Coalgood, Ky. Office became Presidential July 1, 1944.

## LOUISIANA

Louis F. Siadous, Duson, La. Office became Presidential July 1, 1944.  
Elizabeth M. Brooks, Rosepine, La. Office became Presidential July 1, 1944.

## MAINE

Charles B. Lewis, Springfield, Maine. Office became Presidential July 1, 1944.

## MARYLAND

Mary D. Rice, Maugansville, Md. Office became Presidential July 1, 1944.

## MINNESOTA

Lizzie A. Schmidt, Dundee, Minn. Office became Presidential July 1, 1944.

## MISSISSIPPI

Annie L. Womack, Marietta, Miss. Office became Presidential July 1, 1944.  
Sarah L. Brewer, Steens, Miss. Office became Presidential July 1, 1944.

## MISSOURI

Donald M. Barrow, Clarksdale, Mo. Office became Presidential July 1, 1944.  
Mabel Cunningham, Dawn, Mo. Office became Presidential July 1, 1944.  
Gideon Ward Miller, Edgerton, Mo. Office became Presidential July 1, 1944.  
M. Marguerite Shineman, Fillmore, Mo. Office became Presidential July 1, 1944.  
Leonard D. Smith, Fremont, Mo. Office became Presidential July 1, 1944.  
Lawrence W. Bartee, Holt, Mo. Office became Presidential July 1, 1944.  
Mary E. Staples, Houstonia, Mo. Office became Presidential July 1, 1944.  
Mary E. B. Black, Rivermines, Mo. Office became Presidential July 1, 1944.

## MONTANA

Olive M. Griffith, Grassrange, Mont. Office became Presidential July 1, 1944.  
Anne Helen Sebastian, Joplin, Mont., in place of B. O. Wilson, resigned.  
Mabel M. Jimerson, Nashua, Mont., in place of F. L. Jimerson, deceased.  
Gail H. Fry, Park City, Mont., in place of F. D. Stoltz, resigned.

## NEBRASKA

Vera F. Knickerbocker, Verdon, Nebr., in place of O. P. Veal, deceased.

## NEW MEXICO

Mack W. Urioste, Raton, N. Mex., in place of J. C. Leonard, deceased.

## NEW YORK

Asa Camp, Apalachin, N. Y. Office became Presidential July 1, 1944.  
Ruth T. Savory, Beaver Dams, N. Y. Office became Presidential July 1, 1944.  
Oliver H. Hanson, Celeron, N. Y. Office became Presidential July 1, 1944.  
Edward F. Curtis, Eagle Bridge, N. Y. Office became Presidential July 1, 1944.  
Pearl S. Wood, Felts Mills, N. Y. Office became Presidential July 1, 1944.  
Lillian L. Johnson, Findley Lake, N. Y. Office became Presidential July 1, 1944.  
Mary H. Whalen, Fort Johnson, N. Y. Office became Presidential July 1, 1944.  
John J. Hickey, Gainesville, N. Y. Office became Presidential July 1, 1944.  
Joseph P. Hertz, Glenmont, N. Y. Office became Presidential July 1, 1944.  
Martha M. Ward, Great Valley, N. Y. Office became Presidential July 1, 1944.  
Elizabeth P. Williams, Henrietta, N. Y. Office became Presidential July 1, 1944.  
Ada McDonald, Jay, N. Y. Office became Presidential July 1, 1944.  
Earl Hendershott, Lakeville, N. Y. Office became Presidential July 1, 1944.  
Mary E. A. Mayesky, Lincolndale, N. Y. Office became Presidential July 1, 1944.  
Dudley P. Hall, Little Genesee, N. Y. Office became Presidential July 1, 1944.  
Donald W. Mott, Martville, N. Y. Office became Presidential July 1, 1944.  
Leon D. Tucker, McDonough, N. Y. Office became Presidential July 1, 1944.  
Hazel C. Fiala, Millport, N. Y. Office became Presidential July 1, 1944.  
Walter L. Pepper, Moriah, N. Y. Office became Presidential July 1, 1944.  
James W. Van Alstine, Nelliston, N. Y. Office became Presidential July 1, 1944.  
Alexander R. Knowlton, Rexford, N. Y. Office became Presidential July 1, 1944.  
Florence E. Smith, Sterling Station, N. Y. Office became Presidential July 1, 1944.  
George E. McEvoy, Tillson, N. Y. Office became Presidential July 1, 1944.

Donald B. Kentner, Turin, N. Y. Office became Presidential July 1, 1944.

Otto I. Mayne, West Edmeston, N. Y. Office became Presidential July 1, 1944.

Iva R. Puffer, Wynantskill, N. Y. Office became Presidential July 1, 1941.

## NORTH CAROLINA

Aida McClure, Bolling Springs, N. C. Office became Presidential July 1, 1944.  
Ralph G. Goode, Connellys Springs, N. C. Office became Presidential July 1, 1943.  
Frank McMillan, Crumpler, N. C. Office became Presidential July 1, 1944.  
Mamie B. Williams, East Lumberton, N. C. Office became Presidential July 1, 1944.  
Guy R. Cutrell, Fairfield, N. C. Office became Presidential July 1, 1944.  
William D. Sloop, Harrisburg, N. C. Office became Presidential July 1, 1944.  
Anne Lee Vannoy, Highshoals, N. C. Office became Presidential July 1, 1944.  
Eugene S. Edwards, Hookerton, N. C. Office became Presidential July 1, 1944.  
Lola A. Carter, Jackson Springs, N. C. Office became Presidential July 1, 1944.  
Mitsn O. Saunders, Kure Beach, N. C. Office became Presidential July 1, 1944.  
Henry R. Gerald, Pine Level, N. C. Office became Presidential July 1, 1944.  
Helen B. Hemphill, Rhodhiss, N. C. Office became Presidential July 1, 1944.  
Glenn E. Ritchie, Richfield, N. C. Office became Presidential July 1, 1944.  
Henry M. Cates, Saxapahaw, N. C. Office became Presidential July 1, 1944.  
Margaret I. Siler, Staley, N. C. Office became Presidential July 1, 1944.  
Ella K. Phillips, Swepsonville, N. C. Office became Presidential July 1, 1944.  
Robert F. Rash, Union Grove, N. C. Office became Presidential July 1, 1944.  
William I. Rowland, Willow Spring, N. C. Office became Presidential July 1, 1944.  
Orion M. Click, Woodleaf, N. C. Office became Presidential July 1, 1944.  
J. Bryan Boswell, Woodsdale, N. C. Office became Presidential July 1, 1944.

## NORTH DAKOTA

M. Marvin McKeever, Hamilton, N. Dak., in place of H. J. Rock, resigned.  
Celeste M. Reiman, White Earth, N. Dak. Office became Presidential July 1, 1944.

## OHIO

Robert B. Leslie, Latty, Ohio. Office became Presidential July 1, 1944.  
Guy Miller, Morral, Ohio. Office became Presidential July 1, 1943.  
Beverly Bradley, South Lebanon, Ohio. Office became Presidential July 1, 1944.  
Clara C. Kugler, Stone Creek, Ohio. Office became Presidential July 1, 1944.  
Hazel E. Clark, Syracuse, Ohio. Office became Presidential July 1, 1944.  
Archie C. Reynolds, Waldo, Ohio. Office became Presidential July 1, 1943.

## OKLAHOMA

Roy R. Hardway, Hugo, Okla., in place of Hugh Johnson, resigned.  
John H. York, Indianola, Okla. Office became Presidential July 1, 1944.  
Joe R. Kyle, Macomb, Okla. Office became Presidential July 1, 1944.  
Frederick M. Shaw, Oklahoma City, Okla., in place of J. S. Morris. Incumbent's commission expired March 10, 1941.

## PENNSYLVANIA

Thomas J. Murphy, Ashville, Pa. Office became Presidential July 1, 1944.  
Sophie M. Winebrenner, Bradenville, Pa. Office became Presidential July 1, 1944.  
Mildred V. Miller, Chadds Ford, Pa. Office became Presidential July 1, 1944.  
Edward Dworak, Kelayres, Pa. Office became Presidential July 1, 1944.  
Walter H. Davis, Klingerstown, Pa. Office became Presidential July 1, 1944.  
Eli R. Witmer, Lampeter, Pa. Office became Presidential July 1, 1944.

Fred W. Patterson, Lattimer Mines, Pa. Office became Presidential July 1, 1944.  
 Elen Nora Robinson, Lloydell, Pa. Office became Presidential July 1, 1944.  
 Anna Belle Smith, Madison, Pa. Office became Presidential July 1, 1944.  
 Edgar J. Burkett, Manns Choice, Pa. Office became Presidential July 1, 1944.  
 Katherine M. Norton, Marsteller, Pa. Office became Presidential July 1, 1944.  
 Ida L. Buskirk, Martins Creek, Pa. Office became Presidential July 1, 1944.  
 Edwin Zimmerman, Newmanstown, Pa. Office became Presidential July 1, 1944.  
 Ralph B. Fields, Newton Hamilton, Pa. Office became Presidential July 1, 1944.  
 Noah B. Becker, Perkiomenville, Pa. Office became Presidential July 1, 1944.  
 Anna Bissey, Pipersville, Pa. Office became Presidential July 1, 1944.  
 Robert D. Hoffecker, Ronks, Pa. Office became Presidential July 1, 1944.  
 Viola Cleland, Rutledge, Pa., in place of P. B. Thompson, resigned.  
 Edith M. Frey, South Heights, Pa. Office became Presidential July 1, 1944.  
 Francis R. Murphy, Swedeland, Pa. Office became Presidential July 1, 1944.  
 Sara M. Gilpin, Tarrs, Pa. Office became Presidential July 1, 1944.  
 Margaret Melva Mains, Westmoreland City, Pa. Office became Presidential July 1, 1944.  
 Theresa A. Giacomelli, Willock, Pa. Office became Presidential July 1, 1944.

#### PUERTO RICO

Victor M. Monrouzeau, Arecibo, P. R., in place of M. O. Reyes, transferred.

#### SOUTH CAROLINA

Grace H. Bagnal, Aynor, S. C. Office became Presidential July 1, 1944.

#### SOUTH DAKOTA

Florence M. Hausman, Chester, S. Dak. Office became Presidential July 1, 1944.  
 Annie McBride, Harrisburg, S. Dak. Office became Presidential July 1, 1944.  
 Allen A. Benson, Ravinia, S. Dak., in place of C. F. Silvis, transferred.  
 Tulla H. Simpson, Veblen, S. Dak., in place of J. L. Simpson, deceased.

#### TENNESSEE

Clyde Zimmerman, Belvidere, Tenn. Office became Presidential July 1, 1944.  
 Ruth J. Way, Bloomington Springs, Tenn. Office became Presidential July 1, 1944.  
 Ova Allred, Crawford, Tenn. Office became Presidential July 1, 1944.  
 Etoile Johnson, Doyle, Tenn. Office became Presidential July 1, 1944.  
 Belle Emert, Walland, Tenn. Office became Presidential July 1, 1944.  
 Mabel B. Baggett, Whitehouse, Tenn. Office became Presidential July 1, 1944.

#### TEXAS

Mattie G. Brown, Centerville, Tex., in place of V. D. Brown, deceased.  
 Henry M. Hollis, Frankston, Tex., in place of S. M. Perry. Incumbent's commission expired June 23, 1942.  
 Ethel C. Key, Desdemona, Tex. Office became Presidential July 1, 1944.  
 Jim B. Dickey, Pottsboro, Tex., in place of W. P. Hardwick, retired.  
 Clara M. Davis, Ringgold, Tex., in place of M. L. Carlton, transferred.

#### UTAH

John R. Sorenson, Emery, Utah. Office became Presidential July 1, 1944.

#### VIRGINIA

Roy G. Boatwright, Coeburn, Va., in place of C. D. Lay. Incumbent's commission expired June 23, 1942.  
 J. Herbert Norton, Deltaville, Va. Office became Presidential July 1, 1944.  
 Lillie M. Biggs, Patrick Springs, Va. Office became Presidential July 1, 1944.

#### WASHINGTON

Joseph F. Ladley, Elma, Wash., in place of L. F. Nelson, removed.

#### WEST VIRGINIA

Robert L. Martin, Branchland, W. Va., in place of Mabel M. Messinger, removed.  
 Doris Altizer, Ethel, W. Va. Office became Presidential July 1, 1943.  
 Ernell C. Hutchinson, Salt Rock, W. Va. Office became Presidential July 1, 1944.

#### WISCONSIN

Erna M. Dohm, Dane, Wis. Office became Presidential July 1, 1944.  
 John C. Esse, DeForest, Wis., in place of Carl Newton, deceased.  
 Nicholas A. Braun, Eden, Wis. Office became Presidential July 1, 1944.  
 Arthus Nortwen, Conover, Wis. Office became Presidential July 1, 1944.

#### WYOMING

Vernon M. Sandman, Albin, Wyo., in place of J. A. Anderson, retired.

## HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 19, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who art the living, creative God, whose spirit throbs in this universe and quivers in every atom, we rejoice that Thou art our Father. In the quiet depths of the vast eternal may all the exiles of earth return and find rest. Grant that our careers may be inspired by a passionate aspiration for our country and blended with an earnest, spiritual life. Let us take heed and keep ourselves free from all covetousness and greed, for one's life consists not in the things he possesses.

Hold the world to the basic truth of the Holy Bible, that whatsoever a man soweth that shall he also reap. Persuade us that this truth is not only a prophecy but a fulfillment. Wickedly dead is that nation which cauterizes the soul of the individual; its reward shall be the fruits of falsehood, avarice, and godlessness, and its right to live in Christian communities cannot be vindicated. O Lord God of the ages, be a great, sounding voice for the deathless soul of China which is fighting and warring against death and those crimson terrors which have stalked her soil by midnight and stormed it by day. Undeafened and unbroken by wrongs from time immemorial, O make Thy righteous acts manifest that she may walk again her own sacred land, tearless and painless in her own right. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### REPORT ON REEXAMINATION OF COLUMBIA AND SNAKE RIVERS

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably without amendment (Rept. No. 1899) a privileged resolution (H. Res. 641) authorizing the printing of additional copies of House Document No. 704, Seventy-fifth Congress, third session, a

report from the Chief of Engineers, United States Army, together with accompanying papers and illustrations, on the reexamination of Columbia and Snake Rivers, Oreg., Wash., and Idaho, and ask for its immediate consideration. The Clerk read as follows:

*Resolved*, That there be printed with illustrations 1,400 additional copies of House Document No. 704, Seventy-fifth Congress, third session, entitled "A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 26, 1938, submitting a report, together with accompanying papers and illustrations, on a reexamination of Columbia and Snake Rivers, Oreg., Wash., and Idaho, authorized by section 6 of the River and Harbor Act, approved August 30, 1935, and requested by resolutions of the Committee on Commerce, United States Senate, adopted May 21, 1938, August 21, 1935, and June 10, 1936," of which 1,000 shall be for the use of the Committee on Rivers and Harbors, 200 for the use of the House document room, and 200 for the use of the Senate document room.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### TO AMEND THE TRANSPORTATION ACT OF 1940 WITH RESPECT TO THE MOVEMENT OF GOVERNMENT TRAFFIC

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably without amendment (Rept. No. 1900) a privileged resolution (H. Res. 642) authorizing the Committee on Interstate and Foreign Commerce of the House of Representatives to have printed for its use additional copies of the hearings on the bill (H. R. 4184) to amend the Transportation Act of 1940 with respect to the movement of Government traffic, and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Interstate and Foreign Commerce of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of the hearings held before a subcommittee of the said committee during the current session on the bill (H. R. 4184) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### RIGHTS AND BENEFITS OF VETERANS OF THE ARMED SERVICES

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably without amendment (Rept. No. 1901) a privileged resolution (H. Con. Res. 100) authorizing that the pamphlet containing information as to the rights and benefits that are available to veterans of the armed forces and their dependents be published as a document and providing for the printing of additional copies thereof, and ask for its immediate consideration.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That the pamphlet containing information as to the rights and benefits that are available to veterans of the